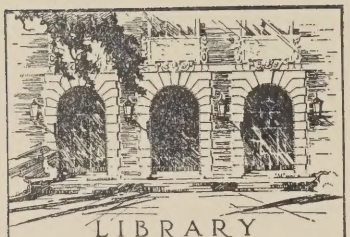

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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., WEDNESDAY, MAY 2, 1945. No. 55.

SENATE

WEDNESDAY, MAY 2, 1945.

The Senate met at 3:00 o'clock, p. m., Eastern War Time. The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

Creator, Preserver and Ruler of the world, we pray for our country, that her life and government may be established on the abiding rock of righteousness and justice, the only foundation on which a lasting peace for the world can be built.

Whatever differences there may be as to method of attaining world peace, may Thy Spirit so operate in the hearts and minds of ourselves and our allies that harmony may be reached and good will follow.

We pray that the prominence our country holds in the councils of the nations may inspire our leaders with the wisdom and the will to accept the responsibility of leadership. And may all the people support their every effort to effect an organization that will bind the nations of the world in a league for mutual protection and benefit.

We have faith to believe that the angels' song of "Peace on earth, good will to men" can be realized in our time. May we be wise enough to see this and big-hearted enough to adopt it for ourselves and for all the world.

We pray for the President and his advisers, for the Governor and his cabinet, for the Lieutenant-Governor and the members of this body, that the wisdom to see and the purpose to do the will of God may be theirs.

In the name of our divine leader, Christ the Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SNOWDEN, the further reading was dispended with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. EDMONDS asked and obtained leave of absence for himself for the balance of the week on account of ill health

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 25, entitled:

An Act to assist worthy young men and women of the Commonwealth to obtain a higher education; providing for competitive examinations; placing certain duties upon the Department of Public Instruction; and repealing certain laws.

Which was committed to the Committee on Education.

House Bill No. 41, entitled:

An Act to amend clause four section one of article eight of the act approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law" by authorizing the city controller to approve warrants drawn on transferred surplus and unused funds.

Which was committed to the Committee on Municipal Government.

House Bill No. 94, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

Which was committed to the Committee on Appropriations.

House Bill No. 260, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April, one thousand nine hundred twenty-seven. (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of the third, fourth, fifth and sixth classes," by increasing the salary of county commissioners in counties of the sixth class.

Which was committed to the Committee on County Government.

House Bill No. 280, entitled:

An Act requiring county commissioners to report transfers of property to the commissioners of townships of the first class.

Which was committed to the Committee on County Government.

House Bill No. 293, entitled:

An Act providing for the appointment and expenses of a commission of three persons to study revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation.

Which was committed to the Committee on Judiciary General.

House Bill No. 516, entitled:

An Act to amend section one of the act, approved the twentieth day of May, one thousand nine hundred twenty-one (P. L. 976), entitled "An act fixing the salary of the jury commissioners of the counties of the third class," by increasing such salary.

Which was committed to the Committee on County Government.

House Bill No. 559, entitled:

An Act to add section four hundred sixty-three to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing the county commissioners in counties of the third class to appropriate and spend money for the repair and maintenance of certain dams.

Which was committed to the committee on County Government.

House Bill No. 734, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims not filed within the time specified by law, and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Judiciary General.

House Bill No. 956, entitled:

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "Borough Rural State Highway Law," by changing certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 957, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 958, entitled:

An Act to further amend section two of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "City State Highway Law," by changing certain routes and adding certain new routes."

Which was committed to the Committee on Highways.

House Bill No. 959, entitled:

An Act to further amend section two of the act approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 1011, entitled:

An Act to amend the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2687), entitled "An act authorizing the Secretary of Property and Supplies, with the approval of the Governor, to enter into contract with persons, firms or corporations to erect office buildings, and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease," removing the authorization to contract for the erection of buildings.

Which was committed to the Committee on State Government.

House Bill No. 1045, entitled:

An Act to reenact and amend the act approved the fourth day of May, one thousand nine hundred thirty-three (P. L. 276), entitled "An act fixing the compensation and mileage of jury commissioners in counties of the sixth class," extending the provisions thereof to counties of the fifth class.

Which was committed to the Committee on County Government.

House Bill No. 1089, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof, subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

Which was committed to the Committee on State Government.

House Bill No. 1117, entitled:

An Act to further amend clauses six and nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," fur-

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ther defining State employes and original members so as to extend the benefits of the act to employes of institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, acquired by the Commonwealth for actual use as State mental hospitals.

Which was committed to the Committee on State Government.

House Bill No. 1138, entitled:

An Act to preserve the purity of the waters of the Commonwealth and to regulate the sealing of coal mines, providing for the sealing of coal mines by the Sanitary Water Board and the payment of the costs thereof by the Commonwealth in certain cases, conferring powers and imposing duties on the Sanitary Water Board and the Department of Mines, imposing duties on the owners, operators and lessees of coal mines, and imposing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement, development and maintenance of the plot of ground in the city of Erie, Pennsylvania acquired for the location of the Flagship Niagara.

Which was committed to the Committee on Appropriations.

House Bill No. 1235, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

Which was committed to the Committee on Appropriations.

House Bill No. 1246, entitled:

An Act to further amend subsections (a) and (b) of section four hundred eleven, and section five hundred six of the act approved, the first day of May, one thousand nine hundred twenty-nine, (P. L. 905), entitled "Vehicle Code" by further providing for the transfer of motor vehicles, trailers and semi-trailers from a husband to his wife and from a wife to her husband.

Which was committed to the Committee on Highways.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 528

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1945.

Resolved (if the Senate concur), That House Bill No. 528, Printer's No. 232, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329)

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 660

He also informed the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 660, entitled:

An Act to add section thirty-one point one, to repeal in part section thirty-two and to amend section thirty-three of the act aproved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," further regulating the sale of real property for the nonpayment of tax and municipal claims where a city of the first class is the claimant providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale and eliminating the right of redemption after such sales.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 660

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 660.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 805

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 805

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 805.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 459. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 459, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 465. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "vehicle."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 732. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 732, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating in the Department of Welfare boards of trustees for certain penal, correctional and delinquent defective institutions, defining their powers and duties and changing the powers and duties of certain other penal, correctional and defective delinquent institutions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE RESOLUTIONS

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

CONGRATULATIONS TO MOORE INSTITUTE OF ART ON HUNDREDTH ANNIVERSARY

In the Senate, April 24, 1945.

Whereas, It has come to the attention of the members of the General Assembly of the Commonwealth of Pennsylvania that the oldest school of applied art in America, the Moore Institute of Art, located in Philadelphia, has recently ended the hundredth year of its existence as a valuable constituent of the educational facilities offered by the Commonwealth of Pennsylvania; and

Whereas, The said Moore Institute of Art has become the largest school of art exclusively for women, known to be in operation anywhere in the world, and the training offered young women in design has supplied to the manufacturers of America trained talent of inestimable value in many fields, be it therefore

Resolved, (if the House of Representatives concur), that the General Assembly of Pennsylvania extends its congratulations to the officers, directors and faculty of the Moore Institute of Art, located in Philadelphia, and its wishes for the Institute's continued success in the second century of its existence, and be it further

Resolved, That copies of this resolution, properly authenticated, be forwarded to the Moore Institute of Art, and to the Honorable Edwin O. Lewis, its President, as a token of the General Assembly's appreciation of the excellent work performed by the Institute.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

CONGRESS MEMORIALIZED TO REQUIRE REPRESENTATION OF ARMED FORCES AT PEACE CONFERENCE

In the Senate, March 12, 1945.

Whereas, The establishing of a permanent peace for the whole world is the earnest prayer of all civilized mankind; and

Whereas, It is the unanimous and just opinion of all conscientious people that those who bore the brunt of the fighting in this war should also have a prominent voice in the making of the peace; therefore be it

Resolved (if the House of Representatives concur), That the Senate and House of Representatives of the 1945 Session of the Pennsylvania State Legislature, hereby memorializes the Congress of the United States of Amer-

ica, to require that in any peace conference which is to decide the final adjustments for the future world peace, that each branch of the fighting forces of the Nation shall be represented at the said peace conference and each branch of the fighting forces to be appointed by members of said forces, who have been actively engaged at the various fronts and on the seas; and be it further

Resolved, That each member so represenitng his or her branch of the service shall have full voice and vote in any and all final decisions; and be it further

Resolved, That a copy of this resolution, signed by the President of the Senate, the Speaker of the House of Representatives and the Governor of the Commonwealth of Pennsylvania, be transmitted to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the Congress of the United States.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 78

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 78, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), as reenacted and amended, entitled "State Personal Property Tax Act," by excepting and excluding therefrom the obligations of municipal corporations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 135

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth, and the expenses incident to this office.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 211

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 211, entitled:

An Act providing for and regulating the appointment, promotion, and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties; and repealing inconsistent laws.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 696

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 696, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of a majority of the municipality or municipalities having a majority interest therein

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1017

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1017, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons, copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adultered or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties.

HOUSE CONCURS IN SENATE BILL No. 118

He also returned to the Senate, Senate Bill No. 118, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a lot or piece of land in the borough of Edinboro, Erie County, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 293

He also returned to the Senate, Senate Bill No. 293, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1787, No. 591) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amount which the counties will receive from the State for forest reserves.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 426

He also returned to the Senate, Senate Bill No. 426, entitled:

An Act to further amend subsection (b) of section four

hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 452

He also returned to the Senate, Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention and to stimulate develop and coordinate crime prevention activities in this Commonwealth

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 476

He also returned to the Senate, Senate Bill No. 476, entitled:

An Act to amend section five hundred ninety of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending provisions of the act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 527

He also returned to the Senate, Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal; and fixing the sum allowed therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 621

He also returned to the Senate, Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the employment dismissal suspension demotion and retirement of professional employes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 644

He also returned to the Senate, Senate Bill No. 644, entitled:

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the payment of interest in certain claims.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 714

He also returned to the Senate, Senate Bill No. 714, entitled:

An Act to amend sections eight, nine and thirteen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance,

operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing additional purposes for which turnpike revenue bonds may be issued regulating the sale and use of the proceeds thereof and regulating the issuance of turnpike revenue refunding bonds

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 722

He also returned to the Senate, Senate Bill No. 722, entitled:

An Act to amend the act approved the fifteenth day of March, one thousand eight hundred ninety-nine (P. L. 8) entitled, "An act to regulate the manner in which appropriations to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid," by further regulating appropriations made to land grant colleges.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 29, entitled:

An Act to further amend clause one of section three of the act approved the eighteenth day of July, one thousand nine hundred seventeen, (P. L. 1043), entitled "School Employes Retirement Law," by further extending the time for present employes, as defined in the act, to elect to be covered by the retirement system.

Senate Bill No. 46, entitled:

An Act to further amend sections two and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (Pamphlet Laws, four hundred eighty-seven), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefore; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years.

House Bill No. 122, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June, one thousand nine hundred thirteen, (P. L. 507), entitled "Intangible Personal Property Tax Law," as last amended by the act of July twenty-nine, one thousand nine hundred forty-one (P. L. 552), by exempting and excluding therefrom all public loans and obligations of any county, city, borough, town, township, school district and incorporated district and incorporated district of this Commonwealth, and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities.

Senate Bill No. 194, entitled:

An Act to further amend section twenty of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522) entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by increasing the fee for killing unlicensed dogs.

Senate Bill No. 262, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining and limiting the rights, powers, duties, liabilities and immunities of building and loan associations and their shareholders and creditors.

Senate Bill No. 263, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain

other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking

Senate Bill No. 469, entitled:

An Act to repeal the act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists, and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor"

Senate Bill No. 499, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrolment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

Senate Bill No. 500, entitled:

An Act to further amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

Senate Bill No. 501, entitled:

An Act to further amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining real estate brokers and real estate salesmen; and further providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business.

Senate Bill No. 503, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

House Bill No. 522, entitled:

An Act to further amend the title and sections one, three, eight, eleven, sixteen, eighteen and nineteen of, and to add section ten point one to, the act approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled "Meat and Meat Food Products Law," including poultry within the provisions of the act; providing for the licensing of establishments; making possession of unwholesome meat or meat-food products prima facie evidence of intention to sell; and prescribing additional penalties.

House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by further regulating the administration of the police pension fund.

Senate Bill No. 532, entitled:

An Act to amend section two of the act approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 903), entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books.

Senate Bill No. 628, entitled:

An Act to amend section thirteen hundred four of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," increasing the annual amount available for bear damages.

Senate Bill No. 629, entitled:

An Act to amend section six hundred four of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto"; permitting for purposes of conservation, the designation and posting of beaver colonies; prohibiting the trapping of beavers at any time in such colonies and imposing penalties.

Senate Bill No. 727, entitled:

An Act to provide for the sentencing of male persons convicted of certain crimes, the commitment of defective delinquents and repealing certain laws.

Senate Bill No. 728, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Welfare the Pennsylvania Correctional, Diagnostic and Classification Center; providing for the diagnosis and classification of persons sentenced or committed by the courts to "a State institution"; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Welfare relative thereto; making civil and criminal laws applicable to penitentiaries and persons therein or responsible therefor applicable in the case of the said institution.

Senate Bill No. 729, entitled:

An Act creating certain penal and correctional institutions and boards of trustees to manage them; abolishing certain penal and correctional institutions; imposing duties upon the Department of Welfare and providing for cost of transportation and maintenance of inmates.

Senate Bill No. 730, entitled:

An Act authorizing the Department of Property and Supplies to acquire for the use of the Department of Welfare, the Kis-Lyn School located in Luzerne County to be used as a training school for certain juvenile delinquents; creating a board of trustees to supervise and manage such institution; regulating the admission and cost of care and maintenance of such juvenile delinquents.

Senate Bill No. 731, entitled:

An Act authorizing a State training school for female juvenile delinquents; creating a board of trustees to supervise and manage such institution; making the admission and cost of care and maintenance of such juvenile delinquents.

Senate Bill No. 736, entitled:

An Act validating the action of county commissioners in fixing the compensation of tax collectors in boroughs and townships for collecting county and institution district taxes.

House Bill No. 763, entitled:

An Act to amend section one of the act approved the twentieth day of May, one thousand nine hundred twenty-one (P. L. 936), entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate, and fixing the fees for such services," by relieving the receiver of taxes of the liability for the accuracy of said certificate.

House Bill No. 1010, entitled:

An Act to add clause (k) to section one thousand three hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for further regulation of secondary education and placing additional duties upon the Department of Public Instruction and secondary schools.

House Bill No. 1036, entitled:

An Act relating to the rate of pay for policemen, firemen and park guards in cities of the first class; providing for a system whereby policemen, firemen and park guards of cities of the first class, who shall enter or who shall have entered the military service during the present hostilities, shall be paid upon honorable discharge and re-entry into the police, fire or park guard service, at the same rate of pay as if they had actually served on the police force, fire bureau or park guard force of cities of the first class during the years, months or days they were in the military service.

House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing the membership of the Pennsylvania Aeronautics Commission.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

PERSONAL PRIVILEGE

Mr. CARR. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Butler will proceed.

Mr. CARR. Mr. President and members of the Senate, in my mail this morning I received a piece of literature, literature of that form which to me is the vilest that the world knows anything about, literature that is unsigned by the sender, for the purpose of concealing his identity

from the receiver of it. This purports to be from a Republican of Butler County, my home county, where I am well known, and where I think I have been favorably known as a man who believes in religion.

I am going to read that letter into the records of this day's session. It is dated at Harrisburg, Pa., May 1, 1945, and is as follows:

Harrisburg, Pennsylvania, May 1, 1945.

"Jacob W. Carr
Senator from Butler County
State Capitol
Harrisburg, Pennsylvania

"Dear Sir:

"Last night I was at the Senate's hearing of the Holland Fair Employment Practices Bill and, when the vote was taken, heard you vote "No."

"Such a stand as you deliberately took is incredible considering the fact that you have been a religious leader in Butler County. Do you think one's religious attitude can be taken seriously when he uses his political influence against his fellow man because he does not happen to have as light a complexion or be of American or Gentile birth?

"In the sight of God all men are brothers, regardless of color. God does not have a heaven reserved for the white people only but one in which the white and black will mingle together. Only with such philosophy, entirely free of prejudice, can one really get a vision of the Brotherhood of Man. Having such a vision, one automatically becomes a liberal.

"The progressive thinker can no longer be a Republican or member of any other party if it means closing his heart and mind to the plight of the minority groups in this country and saying "I am better than you. I was born white, an American, a Gentile, therefore I am better than you. I resent the idea of your having an equal opportunity to earn a living and will use my political influence to crush you and keep you down, no matter how worthy or capable you are, or how many of your sons and brothers have lost their lives in this war, defending me. You must content yourself to remain a menial."

"That's what you did last night when you voted "No."

"You, a man of the pulpit, have the opportunity to mould public opinion, free the narrow minds of the people of Butler County from the shackles of prejudice, selfishness and bigotry and liberalize their thinking. After all these years you haven't even started. Your voting "No" last night indicates that.

"The silly excuse given last night that there is a tradition never to discharge a committee was simply subterfuge and didn't fool anyone. If all committees fulfilled their duties as they should, there would never be the need to discharge. The House and Senate have the right to discharge, regardless of any hidebound tradition and could use it if they wanted to. There is always a first time for everything. The first time could have been last night if the members of the Senate had had the vision of democracy and the desire to make it work. And you did not use your influence in behalf of democracy—you voted "No."

"On a political measure such as fair employment practices, reactionary beliefs spell prejudice, selfishness of entrenched power, incompatible with a living Christianity. One may claim to be a Christian, may talk his religion, but if he doesn't use it, what good is it? Such a person is, pure and simple, a hypocrite. If you have religion and Christianity, why don't you use it—you didn't use it when you voted "No" last night. It's time you woke up to the fact that this Commonwealth of Pennsylvania is a democracy, that you were elected to defend and advance its cause and give the farmers of Butler County a vision of democracy in action.

"Preaching all the platitudes in the world will avail you nothing if you don't show by your vote your love for your fellow man, regardless of his complexion or how much money is in his pocket. How can you pray "Thy kingdom come" when you use your influence to prevent its coming and the world's consciousness of the brotherhood of man by voting "No" as you did last night?

"Your "No" cannot be pardoned by your lack of experience as a Senator. You surely have enough courage to take a stand for the right even though it means disagreeing with your colleagues and not letting them push you around and bulldoze you. Or have you?

"Religion that ends with the individual, ends. Doesn't your "No" last night indicate something is wrong with yours?

"What will the real Christians, the people of foreign extraction, the Jews and negroes of Butler County think of you when they learn (and never fear, they will learn) that you voted "No" last night on the Fair Employment Practices Bill?

A Registered Republican of Butler County."

Signed on the typewriter, with an envelope enclosing it that has no address on it, "A Registered Republican of Butler County.

Gentlemen of the Senate, I submit to you that is one of the most cowardly attacks that was ever made on a member of this body. I have my right to be conscientious as to whether or not I believe the fair employment practice bill to be a solution of the problem that has been confronting our country ever since the poor men of the black race were brought in shackled from their far off home in Africa, or I have a right to believe this bill is not the answer to the problem. I have a right to believe that those who presented this bill were not presenting it as an answer to the problem; I have a right to believe that it was presented for the sincere and simple purpose of bringing confusion and chaos to pass in this country of ours, in order that men who have a different philosophy of Democracy, which is called Communism, could get into a position where they might upset our government that has been so successful and under which we, black, white, Jew, Gentile, Italian, German, Irish—and my ancestors were both Irish and German—have lived together in this country in peace and happiness during all of its experience. And I have a right to believe my Christian duty is to protect this country of ours and all its citizens from anything that I believe would tend to engender hatred and bitterness in the hearts of men, more than exists at present. I believe that about the fair employment practice bill, that it would not create a better feeling among those various groups of people who make up the citizenry of our country, but that it would tend to separate more and more, and bring into antagonism against one another more and more, the different kinds of people who happen to have a different color of skin, or who happen to have had a different origin, or who happen to have had a different creed than I have.

It is my opinion—and I perhaps should have said this to explain my vote—it is my opinion that this bill would not accomplish the purpose for which it is idealisticly intended, that it would not bring peaceful relations between these different people, but that its whole accomplishment would be the engendering of more and more differences, more and more hatreds, more and more bitterness, between men who are Americans, and they are just as dear to me as they are to any other man in this country. May I say, Mr. President and my friends, that I have stood in the pulpits of the African Methodist church and that I have proclaimed the Gospel to these

men whom I consider my brothers under the skin, even though their skin is black, and I can shake the hands of those men and look them in the eye. I have talked with some of them since this bill was put before us and they have said "you are right." And I can tell you that I have been invited by a Jewish congregation of my own community to come and stand in their pulpit, on D-Day in Europe, to speak to them from their own pulpit, and I have been invited to their synagogue time and again to speak to their women and to their men, because they know me to be fair, they know me to be just, they know me to be honest, they know me to be sincere in the way I am trying to live my life.

I say these things, my friends, because a communication like that, even though signed by one who dares not openly sign his name to it, hurts me to the quick.

I want to say these things because I believe that my vote, as I voted it, was not because the Republican caucus said they wanted a united front; there were other members of the caucus who did not vote that way, and if I had felt as they did I would have voted for the discharge of the committee.

Feeling that this bill is not going to accomplish the purpose for which it has been intended, I felt perfectly justified, and I feel perfectly justified in the sight of God as I stand here now, and I think my vote was cast in all good conscience and I want every man in the world to know that fact.

PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. DiSILVESTRO. Today seems to be anonymous day. I received an anonymous card this morning and if I were to show it to the good lawyers of the Senate, Senator Geltz, Senator Jaspan, Senator Walker or Senator Stiefel, they would say to me "destroy that anonymous card, because it will only give you high blood pressure." That is the system and the method I have followed with all anonymous communications I have received in the past.

However, as I listened to Senator Carr my blood pressure did go up a little bit. I would like to say to that party that sent that card to me I believe that party refers to a statement I made in the press a few days ago, when I said that scoundrel and tyrant was a no good person, I meant everything I said, and to this anonymous person, when he says "shame on you to say those things," I say to this backwoodsman "come out in the open, be a man, be courageous, show yourself, identify yourself, and if you do not like this great country of America, get out, go away, because I believe in America and I shall stand up at any time to defend it."

Gentlemen of the Senate, I said the other day that when that tyrant and scoundrel was removed from the face of the earth it was a proper thing, it was a good thing for those good Italian people, and I said that those individuals who praised Mussolini, when he started to go down with his false propaganda, today are rallying to the ideals of democracy, because that is the only banner they can rally around, and I say those individuals, whether they be in high office or whether they be the humble people of our communities, should be responsive to the ideals of democracy.

If this party belongs in high office, an office of trust and faith, he should elect to stay here and be a good American and submit himself to the electorate of the city of Philadelphia.

PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. I do not believe that the gentleman from Butler, in his condemnation of the person responsible for the anonymous letter addressed to him, need worry about the charges made by any person who has not the courage to sign him own name. I also agree with the gentleman from Butler that he has a perfect right to make his own selection in the matter of how he casts his vote on any important piece of legislation.

I just want to state further I do not believe the gentleman from Butler meant exactly what he said, or at least the way it sounded to me over here as a sponsor of a bill that was presented to the Senate, the bill from which we tried to discharge the committee from any further consideration of, but the gentleman from Butler said that bill was a sincere and simple effort to create more chaos in a very disturbing picture. I do not believe the gentleman from Butler meant that the sponsors of the bill had in mind the creation of a chaotic condition; I do not believe he intended it to be meant that way. He may believe passage of this bill would do so, and he has every right to believe that and follow his own conscience in the matter of how he votes upon that legislation.

PERSONAL PRIVILEGE

Mr. CARR. Mr. President, I rise upon a matter of personal privilege.

The PRESIDENT. The gentleman from Butler will proceed.

Mr. CARR. Mr. President, the gentleman from Westmoreland, Mr. Dent, is absolutely correct; I intended no reflection whatever upon the sponsors of the bill; I agree with the sincerity of their purpose. It is just a difference of opinion and I did not intend any reflection whatever on the sponsors of the bill.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I agree with the Senator from Butler about anonymous letters; I think they are the lowest depth anybody can go to in attacking anyone on how they vote.

However, I am going to ask the Senator from Butler, Mr. Carr, to expunge from the record his statement that this bill was communistically inspired. I think that is hitting below the belt. In his speech he brought out that it was—I forget the exact words, but he mentioned that the bill was communistically inspired.

I want to point out to the gentleman from Butler, Senator Carr, that on the platform in Pittsburgh quite recently we had Episcopal bishops, Catholic priests, and

even as high as cardinals, who have come out for this bill. I think it is very mean and inappropriate to say that in any way, to even suggest that about the sponsors of this bill. I know Homer Brown is far from being a Communist, I know that Mr. Rosenfeld and Senator Dent and myself, whose names are on the bill, are far from being Communists.

I also want to point out to the gentleman from Butler something he must have forgotten in the history of his own party, that one of the greatest fighters for the Negro was a man named Abraham Lincoln, and the Republican party has certainly gone far from the principles of Theodore Roosevelt, who also fought for the same privileges we are trying to give them by law, and I also want to say to the gentleman from Butler there was another man of Pennsylvania who fought the battle of the Negro, and he was attacked from all sides—Thaddeus Stevens; in fact, they honor him in this Capitol.

So I say, Mr. President and members of the Senate, I do not think, in his attack on someone who wrote him an anonymous letter, he should inject in any way that this bill is communistically inspired. It is not. It is inspired by real Americanism, by people who have faith in America, who have fought for America, and members of their families have given their lives for America, and to bring into any argument on the fair employment practice bill about Communism is absolutely wrong. I am going to ask the gentleman from Butler to do the gentlemanly act on this and—where he in his speech said this bill was communistically inspired, or words to that effect—withdraw that statement.

PERMISSION TO ADDRESS SENATE

Mr. CARR asked and obtained unanimous consent to address the Senate.

Mr. CARR. Mr. President, if any word of mine spoken here today intimated that Homer Brown intended to be communistic, or that the gentleman from Westmoreland, Senator Dent, intended to be communistic, or that Elmer Holland intended to be communistic, I would like that word to be stricken forever from the memory of every person here, and from the printed page. I did not intend to intimate that any person here who is sponsoring this bill has communistic tendencies.

What I did mean to intimate was that, in my opinion, there are certain people who are Communists—and I have a little pamphlet on my desk demonstrating how they are constantly trying to arouse antagonism between races and classes in this country of ours, what they have done elsewhere, and by that means create a situation where they could bring about the overthrow of our form of democracy.

I did not, and I do not, intend to allege that any gentleman, a member of either the House or this Senate, has any intent or does anything toward furthering that end. But, Mr. President, I do maintain my right to the belief that what they are doing, in perfect sincerity, would mean that their ideas may be interpreted as having that effect, not intentionally, but I believe it is my right to think that it is having that effect, whether intentionally or not, and that is what I meant. Therefore I would not apologize to this body or to the world at large for that statement. I am willing to let the record stand as it is.

PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President, I certainly have no quarrel with the sincerity or the conscientiousness of the gentleman from Butler, Senator Carr. I am sure he felt he was saying the right thing, and as far as I am concerned I am satisfied.

The Senator from Butler, when he talked about communism, happened to omit my name when he spoke for the record. Of course, I assume that was an oversight and he did not intend to indicate that I was or am a Communist or that my name is included in the little book on his desk, for whatever it may be worth.

Mr. CARR. Will the gentleman from Philadelphia yield?

Mr. ROSENFELD. Yes, Mr. President.

Mr. CARR. I have sincere pleasure in adding Senator Rosenfeld's name to the list of those I do not think to be Communists.

Mr. ROSENFELD. Mr. President, I would like to add two thoughts. There has been some misconception about the whole F. E. P. C. program. It was not intended especially for any of our race; it was intended for Senator Carr and Senator Carr's friends just as much as it was intended for any citizen of this Commonwealth.

Secondly, I would like to remind the members of the Senate that I worked on this bill. For the information of those of you who may not know, I used to be in the Legislative Reference Bureau, and I did not have any bill dictated to me by anybody, and that includes both the Homer Brown bill and the bill that was introduced in this Senate. I worked on the kind of good bills that Senator Farrell introduces, and the kind of bad bills that seem to come from outside.

FALL OF BERLIN ANNOUNCED

The PRESIDENT. Stalin has just announced the fall of Berlin.

REPORTS FROM COMMITTEES

BILL RE-REFERRED

Mr. EDMONDS, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, Senate Bill No. 127, entitled:

An Act making an appropriation to the Department of Public Assistance, for the fiscal biennial period beginning the first day of June, one thousand nine hundred forty-five, for the purpose of furnishing artificial teeth and limbs, crutches, orthopedic shoes, hearing aids, and other aids to relief recipients.

which was re-referred to the Committee on Appropriations.

Mr. SNOWDEN, from the Committee on Highways, reported as amended, House Bill No. 138, entitled:

An Act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation.

Mr. FARRELL, from the Committee on Elections, reported as committed, House Bill No. 123, entitled:

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further fixing the fee for filing nomination petitions for the office of county auditor in counties of the eighth class

Mr. CARR, from the Committee on Education, reported as amended, House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

Mr. BLASS, from the Committee on Highways, reported as committed, House Bill No. 79, entitled:

An Act to facilitate vehicular traffic between the eastern section of the Commonwealth and the ports on Lake Erie by providing for the construction, operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County to a point at or near the City of Erie; and conferring powers; and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, and for the cost of maintenance, operation, and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free providing for grade separations, grade changes, and relocation and restoration of public roads and State highways affected by the turnpike, providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Mr. BERGER, from the Committee on State Government, reported as committed, Senate Bill No. 780, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) as amended, entitled, "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties."

He also, from the Committee on State Government, reported as amended, House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other States; requiring cooperation with the Federal Government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation; and prescribing penalties.

He also, from the Committee on State Government, reported as committed, House Bill No. 1001, entitled:

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

He also, from the Committee on State Government, reported as amended, House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 1279, entitled:

An Act to repeal the act approved the tenth day of April one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County."

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 478, entitled:

An Act to amend sections one and two, and to further amend section three of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344—No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried, and to become surety on any bond, bail or recognizance.

He also, from the Committee on Judiciary General, re-reported sa committed, Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including but not limited to livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties

Mr. STEVENSON, from the Committee on Municipal Government, reported as amended, House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of tax money through no fault of his own

Mr. RUTH, from the Committee on County Government, reported as committed, House Bill No. 587, entitled:

An Act to amend section one hundred forty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth.

He also, from the Committee on County Government, reported as committed, House Bill No. 714, entitled:

An Act to further amend section one of the act, approved the eighth day of July, one thousand nine hundred nineteen (P. L. 782), entitled, as amended, "An act providing that clerks, appraisers, investigators and other persons assisting the registers of wills in the collection of inheritance taxes, in all counties shall be appointed and their compensation fixed by the Secretary of Revenue; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes, including cost of registers' bonds," by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

Mr. BARR, from the Committee on Banking, reported as committed, House Bill No. 892, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" by further defining the membership of credit unions.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 380, entitled:

An Act to further amend section four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by redefining the scope of membership and territory.

Mr. MALLERY, from the Committee on Municipal Government, reported as committed, House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extention thereof.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I desire to interrogate the Chairman of the Committee on Municipal Government, the gentleman from Clinton, Senator Stevenson.

The PRESIDENT. Will the gentleman from Clinton permit himself to be interrogated.

Mr. STEVENSON. I will, Mr. President.

Mr. HOLLAND. The gentleman from Clinton has in his Committee House Bill 879, which passed the House on March 20 by a vote of 206-0, dealing with a three platoon system for fireman. I might add, Mr. President, that the sponsor of this bill is a registered Republican, a Republican Legislator. Yesterday I gave you amendments approved by the city firemen's protective association of Philadelphia.

Since this bill will not take effect until the end of hostilities are proclaimed by a proclamation, that is the intent, I might say to you that this would be a very fair amendment. The bill would not take effect immediately. It would not take effect until the boys come back from the different war areas and have opportunity to make application to become city firemen. Has the Committee on Municipal Government considered this bill this morning, or, Mr. Stevenson, do you intend to consider it at the next meeting of your committee or at any time before the end of the session.

Mr. STEVENSON. Mr. President, I might say in answer to the gentleman from Allegheny, Senator Holland, that this bill, as it originally came from the House, was considered at the same time that a similar bill, introduced by the gentleman from Philadelphia, Senator Farrell, was received by the Committee.

The Committee studied the bill very carefully. To those who were interested in the bill it was suggested

that they go back to Philadelphia and bring us information that the city authorities in Philadelphia would be favorable to the bill. The committee felt, inasmuch as it would cost the city of Philadelphia about $1,300,000, and the state was making no contribution to that amount of money, that we should not as a Legislature force this bill upon the city unless they approved it. The amendments were also studied, and there was nothing objectionable to the amendments; in fact, I think they improved the bill.

But the Committee felt, if something should be done for the firemen of the City of Philadelphia, that they should have the same privilege of having the platoon system as the police have in Philadelphia. However, they adhered to the same policy, namely, they felt, inasmuch as the taxing authorities had to raise the money, that they should give an O. K. to the bill before it would be liberated from the committee.

Mr. HOLLAND. Mr. President, I desire to further interrogate the gentleman from Clinton.

The PRESIDENT. Will the gentleman from Clinton permit himself to be further interrogated.

Mr. STEVENSON. I will, Mr. President.

Mr. HOLLAND. In other words, Mr. President, the objection to having this bill come out of committee, is that the mayor of Philadelphia says he does not have the money; is that right?

Mr. STEVENSON. We did not specifically say the mayor of Philadelphia. We requested that they get the O. K. of the taxing authorities, which would be the mayor and the council, those who were responsible for levying the money upon the real estate of Philadelphia, or otherwise raising the fund, that they should give an approval to the bill, and then we would be very happy to report it out from committee in that form.

I might say, Senator, also, that we are not averse to setting up this system. In fact, the committee felt they would like to set this platoon system up in Philadelphia, but they just did not feel they should do it until the time arrived when the city would tell us that the money was available and they could afford to pay the bill.

Mr. HOLLAND. Mr. President, I want to point out that the intent of the city firemen's protective association, in submitting these amendments to the bill, was to protect the returning soldiers, so that when they come back they will have the opportunity of having these jobs.

I feel, and I think the chairman of the committee feels the same as I do, that this legislation should be passed, because it is unfair to have the firemen of Philadelphia working such long hours as they are now working. I think the gentleman will agree with me that in all of this type of legislation, which we have been passing for years and years and years practically all of the local communities say they do not have the money. That is the easy way to end it.

I feel that the mayor's stand on this bill is unfair. It has been pointed out to me that some of those firemen would be glad to go before city council and show city council where this money can be had, without increasing any taxes or stealing from any other funds, and if the city authorities will give them that opportunity I know the city firemen's protective association will show the mayor and the city council of Philadelphia that this money can be made available without any new taxes or without cheating any other funds in the city of Philadelphia.

REPORT FROM COMMITTEE

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 293, entitled:

An Act providing for the appointment and expenses of a commission of nine persons to study revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation.

PERMISSION TO ADDRESS SENATE

Mr. SNOWDEN asked and obtained unanimous consent to address the Senate.

Mr. SNOWDEN. Mr. President, I am about to report from the Committee on Highways four bills, pertaining to the roads in the different counties. We are reporting these bills out, with the suggestion that if there are any changes, after the Senators look over the bills, we would be glad to have you tell us what amendments you desire and we will be glad to introduce those amendments, after you examine the bills, after they are printed.

REPORTS FROM COMMITTEES

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 956, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streeets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

He also, from the Committee on Highways, reported as committed, House Bill No. 957, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

He also, from the Committee on Highways reported as committed, House Bill No. 958, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Common-

wealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

He also, from the Committee on Highways reported as committed, House Bill No. 959, entitled:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 2, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Loretto B. Bradley, Pittsburgh, Frick Bldg.
Geo. W. Schlereth, Pittsburgh, 282 Union Tr. Bldg.

CLARION COUNTY

John Leedom, Knox.

FAYETTE COUNTY

Harry D. Huhn, German Twp., R. D. 1, Masontown.

LUZERNE COUNTY

Nicholas Burdash, Hazleton.

NORTHAMPTON COUNTY

Miss Claudia R. Ricci, Easton.

PHILADELPHIA COUNTY

Mrs. Bertha Harrer, Philadelphia, 1929 Spring Garden St.
James J. O'Keefe, Philadelphia, Keystone Bldg., 135 S. Second St. (6).

WESTMORELAND COUNTY

Miss Martha L. Peach, Jeannette.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the Senate of the Comminwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss A. B. McKane, 12 East Broad Street, Hazleton, Luzerne County, for reappointment as a Notary Public in the City of Hazleton, Luzerne County, for a term of four years, to compute from May 5, 1945.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn	McCreesh,	Tyler,
Chapman	Holland,	McGinnis,	Wade,
Coleman	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. STEVENSON,

That the Senate do now resolve itself into Executive

Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Lillian E. Willetts, 4900 Friendship Avenue, Pittsburgh, Allegheny County, for appointment as a Member of the State Board of Examiners for the Registration of Nurses, for the term of six years, and until her successor is appointed and qualified, vice Miss Margaret R. Gilliland, Clearfield, resigned.

EDWARD MARTIN.

MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Otto Stader, 319 East Lancaster Avenue, Ardmore, Montgomery County, for appointment as a Member of the State Board of Veterinary Medical Examiners, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Harry F. Broude, Harrisburg, deceased.

EDWARD MARTIN.

MEMBERS OF THE CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Clinton County Board of Assistance:

Mrs. Esther M. Long (Republican), Flemington, Clinton County, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Samuel L. Williams (Republican), 102 Susquehanna Avenue, Lock Haven, Clinton County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Ruby A. Brown, (Republican), 161 Fifth Street, Renovo, Clinton County, to serve until December 31, 1946, and until her successor is duly appointed and qualified, vice Mrs. Jennie Rossell, Renovo, whose term expired.

Mrs. Rena Young (Republican), R. D. No. 1, Lock Haven, Clinton County, to serve until December 31, 1947, and until her successor is duly appointed and qualified, vice Mrs. Estella Cummings, Lock Haven, whose term expired.

EDWARD MARTIN.

JUSTICE OF THE PEACE, BOROUGH OF POINT MARION, FAYETTE COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alex L. Carlier, Highland Avenue, Point Marion, Fayette County, for appointment as Justice of the Peace in and for the Borough of Point Marion, Fayette County, until the first Monday in January, 1946, vice Wayland Birch, deceased.

EDWARD MARTIN.

MEMBERS OF THE STATE FOREST COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Forest Commission:

Ned P. Clark, Coudersport, Potter County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment)

Stuart E. Weller, Ligonier, Westmoreland County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment)

Thomas H. Golden, 632 Edwards Avenue, Pottsville, Schuylkill County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice A. Carlisle Smith, Montroes, resigned.

Edward A. Nicodemus, R. D. No. 2, Waynesboro, Franklin County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, to fill a vacancy.

EDWARD MARTIN.

ALDERMAN, FIFTH WARD, CITY OF BEAVER FALLS, BEAVER COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

David Griffiths, 1617 Fifth Avenue, Beaver Falls, Beaver County, for appointment as Alderman in and for the Fifth Ward of the City of Beaver Falls, Beaver County, until the first Monday in January, 1946, to fill a vacancy.

EDWARD MARTIN.

JUSTICE OF THE PEACE, TOWNSHIP OF NORTH FAYETTE, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Wade, Noblestown, Allegheny County, for appointment as Justice of the Peace in and for the Township of North Fayette, Allegheny County, until the first Monday in January, 1946, vice Joseph G. Voye, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. MALLERY,

That the Senate do advise and consent to the nominations reported.

On the question

Will the Senate agree to the motion?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn	McCreesh	Tyler,
Chapman,	Holland,	McGinnis	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:30 o'clock p. m.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

RESOLUTION

REQUESTING ADDITIONAL CERTIFIED COPIES OF HOUSE BILL No. 754 FROM THE HOUSE OF REPRESENTATIVES

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 2, 1945.

Whereas, House Bill No. 754, Printer's No. 343, entitled "An act to further amend section two of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513) entitled 'An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to, and imposing certain duties upon, the Department of Labor and Industry; providing penalties for violations of this act, and repealing all acts or parts of acts inconsistent with this act,' by exempting certain boilers from the provisions of the act." passed the House and was presented to the Senate for concurrence; and

Whereas, The official copies of said bill, certified by the House, have been lost after said bill passed First Reading in the Senate and was recommitted to the Committee of Labor and Industry; therefore be it

Resolved, That the Senate hereby requests the House of Representatives to certify additional copies of said bill to the Senate for its further action.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 248, as follows:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas The American Red Cross The American Legion Veterans of Foreign Wars of the United States Disabled American Veterans United Spanish American War Veterans Regular Veterans Association Director of Veterans Affairs Jewish War Veterans of the United States the Military Order of the Purple Heart and such other similar organizations now or hereafter accredited or recognized by the United States Veterans Administration as well as the Department of Military Affairs and the Selective Service System of the Commonwealth of Pennsylvania are gratuitously preparing forms for and protecting and advancing the rights of veterans and their dependents in connection with their affairs as such before the United States and its agencies and before departments boards and commissions of this Commonwealth and its political subdivisions and

Whereas many forms necessary for such purposes are now required to be sworn to or acknowledged before notaries public or similarly authorized officers and

Whereas in recognition of their services to their country in time of need it is the desire of this Commonwealth to expedite the enjoyment of the benefits rights and compensation allowed by law to veterans and their dependents and reposing special faith and confidence in the organizations supplying such aid and assistance to veterans

Section 1 Each local organization of The American Red Cross The American Legion Veterans of Foreign Wars of the United States Disabled American Veterans United Spanish War Veterans Regular Veterans Association Director of Veterans Affairs Jewish War Veterans of the United States the Military Order of the Purple Heart and such other similar organizations now or hereafter accredited or recognized by the United States Veterans Administration which supplies such aid and assistance to veterans or their dependents and which gratuitously prepares forms for veterans and their dependents in connection with their affairs as such before the United States any agency thereof or the Commonwealth of Pennsylvania any agency or political subdivision thereof is hereby authorized to designate one of its officers to take affidavits or acknowledgments to such forms as may be required by rule regulation or otherwise by the United States any agency thereof or the Commonwealth of Pennsylvania any agency or political subdivision thereof in the administration of the affairs of veterans and their dependents For the same purposes the Adjutant General of Pennsylvania is authorized to designate one or more persons from the Department of Military Affairs and the State Director of Selective Service is authorized to designate one or more persons from the Pennsylvania Selective Service System

When any such officer or person is so designated his name address and official position shall be furnished to the Secretary of the Commonwealth in writing signed by

such designated officer or person accompanied by a certificate of his designation by the proper authority of such organization or of the Adjutant General or the State Director of Selective Service as the case may be Upon receipt of such writing and certificate in form as herein provided the Secretary of the Commonwealth with the approval of the Governor shall issue under his hand and seal of his office a certificate of appointment to such designated officer or person which shall authorize him to take affidavits or acknowledgments of veterans and their dependents in connection with their affairs as such before the United States any agency thereof or the Commonwealth of Pennsylvania any agency or political subdivision thereof Such authorized officer or person shall exercise the authority conferred under the provisions of this act at the pleasure of the Governor

Each affidavit or acknowledgment taken as above authorized shall contain the date signature and title of the officer or person administering the same and the number of the certificate issued to the authorized officer or person

Each certificate issued as aforesaid by the Secretary of the Commonwealth shall be numbered in the order of date issued and the Secretary of the Commonwealth is hereby authorized to certify such appointment whenever required

The Secretary of the Commonwealth shall make no charge whatsoever for filing appointing or certifying under the provisions of this act nor shall any officer or person so designated and authorized make any charge for taking such acknowledgments or affidavits

Section 2 Any person who shall be convicted of having wilfully and knowingly made or taken a false oath or affirmation before any officer or person authorized under this act to administer same in any matter within his official duty shall suffer punishment for wilful and corrupt perjury Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of not more than five hundred dollars ($500.00) or undergo imprisonment of not more than two (2) years or both

Section 3 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

Section 4 This act is to become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order

The Senate resumed the consideration of Senate Bill No. 374, as follows:

An Act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 (1) The word "flour" as used in this act shall mean wheat flour self-rising wheat flour phosphated wheat flour bromated flour enriched flour enriched self-rising flour enriched bromated flour corn flour corn meals hominy and hominy grits

(2) The word "container" as used in this act shall mean any box bag bundle pack package jar can barrel or any other form of receptacle or vessel

(3) The term "person" when used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm cooperative society representative or employe thereof

(4) The word "department" when used in this act shall mean the Department of Internal Affairs of the Commonwealth

Section 2 It shall be unlawful for any person to pack for sale sell offer or expose for sale in this State flour except in containers of net avoirdupois weights of two (2) five (5) ten (10) twenty-five (25) fifty (50) and one hundred (100) pounds and multiples of one hundred (100) pounds Provided however That the provisions of this act shall not apply to (a the retailing of flours meals hominy and hominy grits direct to the consumer from bulk stock or (b) the sale of flours and meals to commercial bakers or blenders or for export in containers of more than one hundred (100) pounds or (c) flours meals hominy and hominy grits packed in cartons the net contents of which are less than five (5) pounds or (d) the exchange of wheat for flour by mills grinding for toll

Section 3 It shall be the duty of the department and the inspectors of weights and measures of the several counties and cities to enforce the provisions of this act

Section 4 The secretary of the department shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 5 Any violation of this act shall constitute a misdemeanor and upon conviction the offender shall be fined not less than twenty-five dollars ($25) nor more than five hundred dollars ($500) for each offense

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-six

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,

Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 519, on concurrence in House amendments entitled:

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 18, PRINTER'S No. 384

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 18, Printer's No. 384, entitled "An Act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled 'An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health' by redefining the meaning of 'other hypnotic drug or analgesic drug or body-weight reducing drug' and naming certain remedies permitted to be sold at retail under certain conditions."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL NO. 279, PRINTER'S NO. 332

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 279, Printer's No. 332, entitled "An Act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL NO. 423, PRINTER'S NO. 379

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 423, Printer's No. 379, entitled "An Act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates."

EDWARD MARTIN.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 607, as follows:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second second class A and third classes boroughs and townships shall be for six years" by extending the terms of constables hereafter elected in incorporated towns to six years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second second class A and third class boroughs and townships shall be for six years" is hereby amended to read as follows

Section 1 The terms of constables hereafter elected in cities of the second second class A and third classes boroughs incorporated towns and townships shall be for six years Whenever a constable shall be appointed by the court as provided by existing laws the constable so appointed shall serve for the unexpired term

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,

Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 44, on final passage, recalled from the Governor, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814)), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties by further regulating and changing the provisions of the act relating to suspension of registration upon tthe failure to vote within two years

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 119, as follows:

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized and empowered to construct erect and maintain roadside rests adjacent to State highway routes for the health safety welfare and accommodation of the traveling public The number location and size of such roadside rests not to exceed forty shall be determined by the Secretary of Highways and with the approval of the Governor

Section 2 The Department of Highways shall have the right and the power to acquire by gift purchase or condemnation such easements right of ways and other rights in real estate as may be necessary for the construction erection maintenance and protection from encroachment of such roadside rests The power of eminent domain for the purpose of condemnation of such easements right of ways or other rights in real estate shall be exercised in the same manner as is now or may hereafter be provided bv law for the condemnation of property in changing the widths lines and locations of Stat ehighways When and if such easements rights of way and other rights in real estate are acquired they shall become part of the highway route on which they are located or to which they are adjacent

Section 3 The construction and erection of such roadside rests may be done either by contract or by employes of the Department of Highways within the discretion of the Secretary of Highways Contracts for the construction and erection of such roadside rests shall be entered into in the same manner as is now or may hereafter be provided by law for the construction of State highway routes

Section 4 Such equipment and facilities as may be determined to be necessary for such roadside rests by the Secretary of Highways shall be purchased through the Department of Property and Supplies as purchasing agent in the manner provided by law

Section 5 The cost of the planning acquisition construction erection and maintenance of such roadside rests shall be paid out of moneys in the Motor License Fund and such moneys as may be necessary for this purpose not to exceed one hundred thousand dollars ($100,000) are hereby specifically appropriated to the Department of Highways

Section 6 The Department of Highways is hereby authorized to accept gifts of realty money materials or supplies for use in the establishment construction erection or maintenance of such roadside rests Any moneys thus received shall be paid into the State Treasury and credited to the Motor License Fund

Section 7 The Secretary of Highways shall have authority to adopt and promulgate rules and regulations governing the use of such roadside rests by the public All persons using such roadside rests shall be subject to such rules and regulations Any person violating any of the rules and regulations posted on or in any such roadside rest shall be guilty of a summary offense and upon conviction thereof shall pay a fine of not less than five dollars ($5) nor more than two hundred fifty dollars ($250) and costs together with any amount which may be necessary to reimburse the Department of Highways for the expense of repairing any damage to such roadside rest or its equipment resulting from such violation Such fines and reimbursement for damages shall be paid into the State Treasury and credited to the Motor License Fund

Section 8 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, House Bill 119 proposes to provide roadside rests adjacent to the highways of the Commonwealth. I do not know how the membership of the Senate feels about this bill, which carried with it an appropriation and contemplated expenditure of at least $100,000 for roadside rests, and now I understand that $100,000 appropriation has been increased to $150,000. I believe the intention is to have at least one roadside rest in each county. It is my theory that one roadside rest in each county is inadequate, and we will not have one just by the passage of this bill. I feel that there are better

way in which to spend our money and therefore I am going to vote against the bill.

And the question recurring,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margie,	Tyler,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodward,
Dent,	Jones,		

NAYS—3

Rosenfeld,	Stiefel,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the final consideration of Senate Bill No. 719, as follows:

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certan circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other poltical subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivsons under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as reenacted and amended by the act approved the nineteenth day of May one thousand nine hundred forty-three (P. L. 262) are hereby further reenacted and amended to read as follows

An Act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer [of such institutions] to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws

Whereas Experience has proven that the care and maintenance of indigent mentally ill persons mental defectives and epileptics should be centralized in the State Government in order to insure their proper and uniform care maintenance custody safety and welfare and

Whereas Complete care for such persons in institutions operated exclusively by the State Government will effect great economies for municipal subdivisions

Section 1 All buildings acquired or erected by any county city ward borough township institution district or other political subdivision for the care maintenance and treatment of mental patients the personal property within such buildings or incidental thereto and any and all other grounds and lands connected therewith or annexed thereto are hereby transferred to and vested in the Commonwealth of Pennsylvania regardless of whether or not such property was used solely for mental patients or in common with indigent persons [except that] Provided That where any such buildings for mental patients are operated in conjunction with buildings dedicated to the care and maintenance of indigent persons who are not mental patients the buildings used for the care of such persons the personal property within such buildings or incidental thereto the land actually occupied by such buildings and the lands or yards presently set apart for the use of the indigent persons cared for in such buildings and the lands necessary for ingress and egress thereto and therefrom [shall not be deemed to be] are also hereby transferred to and vested in the Commonwealth [but shall remain vested in the county city ward borough township institution district or other political subdivisions as theretofore]

Where any lands and property so transferred are presently used by any county city ward borough township institution district or other political subdivision as a farm and woodlands in connection with buildings dedicated to the care and maintenance of indigent persons who are not mental patients [the Department of Welfare of the Commonwealth with the approval of the Governor shall set apart and reconvey to the county city ward borough township institution district or other political subdivision through deed executed by the Secretary of Property and Supplies of the Commonwealth so much of such ground as the ratio of indigent persons bears to the total patient population of the institution as shall be determined by the Department of Welfare of the Commonwealth The metes and bounds of the lands so to be conveyed shall be determined by agreement between the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision In case the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision cannot agree as to the metes and bounds of the lands so to be conveyed to the county city ward borough township institution district or other political subdivision the matter shall be laid before the court of common pleas of the county where the lands are located by petition of either the Secretary of Welfare of the Commonwealth or the authorities in charge of the county city ward borough township institution district or other political subdivision which court after hearing all parties in interest on such notice as it shall direct shall determine the metes and bounds of the lands which shall be conveyed to the county city ward borough township institution district or other political subdivision and shall enter an order accordingly The action of the court shall be final] said lands and property are also hereby transferred to and vested in the Commonwealth

Where auxiliary structures and facilities furnishing light heat power water laundry kitchen sewage treatment servicies and coal supply are so transferred to the Commonwealth which were theretofore used in common for the buildings devoted to mental patients and also the buildings devoted to indigent persons [the Commonwealth shall thereafter continue to furnish the proper county city ward borough township institution district or other political subdivision with such services at the actual cost thereof to the extent the same may hereafter be requested by the county city ward borough township institution district or other political subdivision] such auxiliary structures facilities services and supplies shall remain vested in the Commonwealth Provided however that from and after the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons the Commonwealth shall be relieved from all obligation to furnish any institution district with such services

Any property so transferred to and vested in the Commonwealth shall if found suitable in accordance with this act be thereafter used as a State mental hospital but if such property shall [within one year thereafter] be found unsuitable for such purpose or shall [within one year after transfer to and use by the Commonwealth as a State mental hospital] be thereafter abandoned by the Commonwealth as such a hospital before substantial improvements thereto have been made then in either event such building lands and personal property so transferred to the Commonwealth shall absolutely revert to and vest in the county city ward borough township institution district or other political subdivision from which transferred and the Commonwealth shall have no further claim or title thereto

In the event that any personal property originally transferred to the Commonwealth cannot be returned to the political subdivisions from which transferred other personal property of value equivalent to that which was originally transferred to the Commonwealth may be returned by the Commonwealth to such political subdivision or the value of the personal property originally transferred to the Commonwealth at the date of return may be paid by the Commonwealth to such political subdiivions from funds appropriated to the Department of Welfare for such purpose

[The words "substantial improvements" as used in this section shall be construed to mean capital investments involving an expenditure of at least two hundred and fifty thousand dollars ($250,000)]

Section 2 (a) It shall be unlawful hereafter for any county city ward borough township institution district or other political subdivision to operate or maintain in whole or in part any existing institution for the care of mental patients or thereafter to begin to operate or manage any institution in whole or in part for this purpose Provided however that the county city ward borough township institution district or other political subdivision having charge of any such existing institution shall continue to operate and manage the same under existing laws until the Department of Welfare of the Commonwealth with the approval of the Governor formally takes over the management and operation of such institution or formally closes such institution in the manner hereinafter prescribed in this act And provided further That the authorities of general hospitals may continue to maintain or hereafter may set apart establish and maintain beds wards or departments for the temporary care of mental patients under licensure by the Department of Welfare as now provided by law

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred forty-seven Provided however That the vacating of any of such institutions shall not be made until first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefore has been paid in full so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision

Section 3 The Department of Welfare shall promptly make an investigation and survey of the institutions hereby transferred to the Commonwealth for the purpose of determining (1) which of the institutions are necessary having regard to the number of persons requiring care and treatment because of mental illness and the geographic location and capacity of other such mental hospitals and (2) which of the institutions having regard to existing facilities may be operated by the Commonwealth in such a manner as to insure the proper maintenance custody safety and welfare of mental patients Upon the completion of its investigation and survey the Department of Welfare shall submit to the Governor a report setting forth its findings and recommendations with respect to the institutions deemed necessary and suitable for the care maintenance and treatment of mental patients and the institutions deemed unnecessary or unsuitable for this purpose Upon receiving the report of the Department of Welfare the Governor shall from time to time but not later than the thirty-first day of May one thousand nine hundred forty-one having regard to the standards of necessity and suitability hereinbefore set out in this section determine which of the institutions shall be managed and operated by the Commonwealth as State mental hospitals and which institutions if any shall be closed Provided however That the Governor shall direct

the State Department of Welfare to take over the management and operation of any such institution which is operated and managed by any city of the first class as soon as practicable after the effective date of this act and before the completion of the investigation and survey hereinbefore required in this section Before the management and operation of any institution is taken over by the Department of Welfare the Governor shall issue his proclamation setting forth the date on which the Department of Welfare will take over the management and operation of the institution In the event it shall be determined that a particular institution is to be closed the Governor shall issue a proclamation setting forth the date on which such institution will be closed The original of any such proclamation shall be filed in the office of the Secretary of the Commonwealth and a copy thereof shall be furnished the county city ward borough township institution district or other political subdivision authorities having charge of such institution

Section 4 Each institution subject to this act which the Governor shall direct the Department of Welfare to operate and manage shall be operated and managed by such department as a State mental hospital in accordance with the laws of the Commonwealth relating to such hospitals The Department of Welfare in managing and operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of State mental hospitals by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments designated as The Administrative Code of one thousand nine hundred twenty-nine All mental patients in any such institution at the time the management and operation thereof is assumed by the Department of Welfare shall have the same status as if originally committed or admitted to a State mental hospital Commitments may be made to any such institution mental patients may be detained maintained and cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with laws applying to other State mental hospitals The Department of Welfare shall have power to designate the counties of the Commonwealth from which commitments may be made to any such institution

Each institution acquired and operated by the Commonwealth as a State mental hospital under the provisions of this act shall be known as the ..... State (descriptive name of political subdivision in which institution is located)
hospital for example the Philadelphia Hospital for Mental Diseases shall be known as the Philadelphia State Hospital

Section 5 When the Commonwealth through the Department of Welfare assumes the control and management of any institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of any such institution shall thereupon become employes of the Commonwealth subject to removal by the Secretary of Welfare

Section 6 In the event it shall be determined that any institution subject to this act shall be closed [the Department of Welfare shall take charge of such institution and] the terms of all officers and employes and the local management of such institution shall cease and terminate [The officers and employes of such institution shall thereupon become the employes of the Commonwealth subject to removal by the Secretary of Welfare] when their services are no longer required No new patients shall be admitted to any such institution after the date specified for its closing The Department of Welfare shall as soon as practicable transfer the patients in such institution to any other State mental hospital including any institution transferred to and being operated by the Commonwealth under this act as a State mental institution As far as practicable the department shall transfer such patients to such State mental hospital nearest to the locality in which the institution to be closed is located After the patients in such institution are transferred therefrom the Department of Welfare shall with the approval of the Governor turn the institution and its grounds over to the Department of Property and Supplies for use for any other State purpose as may be deemed necessary and advisable by the Governor unless such institution under the provisions of section one of this act would revert to a county city ward borough township institution district or other political subdivision in which event such institution shall be turned over to the proper authorities thereof and shall thereafter be used for such purposes not inconsistent with this act as the county city ward borough township institution district or other political subdivision may determine

Section 7 (a) After the effective date of this act and until the management and operation of a particular institution is formally assumed by the Department of Welfare or until a particular institution is closed under the provisions of this act but not later than the thirty-first day of May one thousand nine hundred forty-one the county city ward borough township institution district or other political subdivision engaged in the operation and management of that institution shall continue to bear the expense of administering and operating the institution and the Commonwealth shall contribute towards the expense of indigent patients therein to the same extent and in the same manner as pertained under existing laws on the effective date of this act

(b) The Department of Welfare shall forthwith but not later than the thirtieth day of September one thousand nine hundred forty-seven make an investigation and survey of the property hereby transferred to the Commonwealth for the purpose of determining its most effective use in the mental hospital program of the Commonwealth what expenditures if any must be made in order to adopt or use the structures or facilities to the greatest advantage and otherwise absorb promptly and effectively the property hereby transferred in connection with the related State-owned mental hospital

Section 8 (a) All obligations incurred by reason of the erection acquisition or maintenance of a mental institution or an institution for the care and maintenance of indigent persons who are not mental patients by the county city ward borough township institution district or other political subdivision which are outstanding on the date that the Commonwealth shall take over the operation and management of such institution or shall order such institution closed shall remain the obligations of such county city ward borough township institution district or other political subdivision and shall be paid in the same manner as though sad operation and management still remained in said county city ward borough township institution district or other political subdivision For the payment of such obligations the proper authorities of such county city ward borough township institution district or other political subdivision shall continue to have the power to levy and collect taxes as if control and management of the institution were still vested in such county city ward borough township institution district or other political subdivision

(b) All amounts due any county city ward borough township institution district or other political subdivision for the care of any mental patient in any institution transferred to the Commonwealth by this act that have accrued and remain unpaid on the date that the Commonwealth shall take over the operation and management of such institution or the date such institution is closed may be collected by the county city ward borough township institution district or other political subdivision in the same manner as if the control and management of the institution were still vested in such county city ward borough township institution district or other political subdivision Provided however That where there is a claim against the estate of any such mental patient both on behalf of the Commonwealth and on behalf of any county city ward borough township institution district or other political subdivision and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Com-

monwealth and the county city ward borough township institution district or other political subdivision in the proportion of the amount of maintenance legally recoverable by each

Section 8.1 Upon certificate by the Department of Welfare approved by the Governor that any ground land buildings or personal property are necessary for the use of the Commonwealth for the purposes of a mental hospital the Department of Property and Supplies of the Commonwealth shall have the authority and its duty shall be to appraise and fix the fair value of all grounds lands buildings and personal property transferred by this act and used for the care and maintenance of indigent persons or so much thereof as may be required by the Commonwealth for such purpose If the county city ward borough township institution district or other political subdivision is not satisfied with the fair value so fixed the price to be paid shall be fixed in the same manner as provided in the Administrative Code of one thousand nine hundred twenty-nine as in the case of the condemnation of private property taken for public use Upon certification to the State Treasurer payment for all or any part of such property acquired by the Commonwealth under this act shall be made by the Commonwealth to the proper political subdivisions from funds appropriated to the Department of Property and Supplies for such purpose upon delivery by the proper political subdivisions to the Commonwealth of good and sufficient deeds of conveyance or other evidences of title

Section 9 The following acts and parts of acts are hereby repealed

The act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (P. L. 83) entitled "An act to provide for the maintenance care and treatment of the indigent insane in county and local institutions as amended

The act approved the thirteenth day of May one thousand nine hundred nine (P L 535) entitled "An act to amend an act entitled 'An act to provide for the maintenance care and treatment of the indigent insane in county and local institutions' approved May twenty-five one thousand eight hundred ninety-seven increasing the weekly sum therein authorized to be paid from one dollar and fifty cents to two dollars"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 10 Section nine of this act shall become effective on the first day of June one thousand nine hundred forty-one and in all other respects this act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Ealy,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	

NAYS—2

Holland,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that House Bill No. 58, on third reading, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

go over in its order temporarily. I have been trying to get a copy of the bill all day and have not been able to do so. If someone has a copy of the bill I would like very much to see it.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 62, as follows:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commecially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels providing for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions making an appropriation to the Joint State Government Commission for certain purposes and imposing duties on the Department

of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and section ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usuable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by amending section four as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 616) and section ten as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 634) to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States provided that the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional [emergency] State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period [for the period] beginning on the day this act becomes effective [and ending on the thirty-first day of May one thousand nine hundred and forty-five] and ending on the thirty-first day of May one thousand nine hundred and forty-seven

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid as are substantiated to its satisfaction

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional [emergency] tax of one cent per gallon or fractional part thereof collected under the provisions of this act [before June first one thousand nine hundred thirty-six] shall be paid into the State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund] Motor License Fund and from such fund the following specific appropriations for the two calendar years beginning the first day of January one thousand nine hundred forty-six are hereby made for the purposes and in the manner as hereinafter set forth

Eight million five hundred thousand dollars shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated and apportioned among the said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

Eight million five hundred thousand dollars shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each such unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made

The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted by the cities boroughs towns and townships and the populations shall be those shown in the latest United States Decennial Census The terms "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The money so appropriated allocated and apportioned herein from the Motor License Fund shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships

on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods during December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned for Federated projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges

The corporate authorities of the said political subdivisions shall at the time of fixing the real estate tax rate for highway road and street purposes for the calendar year one thousand nine hundred and forty-six and for each year thereafter give consideration to the anticipated revenue to be received under the provisions of this act

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended

Section 2 (a) The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Joint State Government Commission for the purpose of making a thorough investigation and impartial study in order to determine the relative responsibilities and burdens which should in equity be placed on the Commonwealth and on political subdivisions in respect to financing the cost of the construction reconstruction and maintenance of the highways of the Commonwealth including all State and local highways the amount of State-aid for highway purposes which should be granted by the Commonwealth to political subdivisions for highway purposes and generally to develop a sound and scientific financial highway program for the Commonwealth and its political subdivisions

(b) The said Commission shall make a full and complete report of its findings and recommendations to the next regular session of the General Assembly not later than the first day of March one thousand nine hundred forty-seven together with such drafts of legislation as may be necessary to carry out its recommendations

Section 3 This act shall become effective on the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. HEYBURN. Mr. President, I object.

MOTION FOR RECONSIDERATION OF HOUSE BILL No. 62

Mr. BARR. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 62 passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye."

Mr. WALKER. Mr. President, may the Senate be at ease for a moment?

(The Senate was at ease)

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, I am advised that there was no roll call on this bill on second reading yesterday.

The PRESIDENT. How did the gentleman from Allegheny, Senator Barr, vote on House Bill 62 on second reading.

Mr. BARR. Mr. President, on second reading there is no roll call and everyone is recorded as voting in the affirmative and that is the reason I said I voted in the affirmative.

Mr. DENT. I second the motion, Mr. President.

The PRESIDENT. How did the Senator vote?

Mr. DENT. With the majority, Mr. President.

The PRESIDENT. In order to properly second the motion the Senator must say he voted in the affirmative.

Mr. DENT. In the affirmative, with the majority.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I do not think any members of the Senate who were here two years ago have forgotten the actions of the Chairman of the Committee on Highways on a bill similar to this. When that bill had passed the House and was on the Senate floor, on second reading, he arose on the floor of the Senate and moved to recommit the bill to the Committee on Highways for further study and told many members of the Senate, from both sides, that the bill was coming back. I attended the next meeting of the Committee on Highways, which was the

final meeting of the Committee on Highways of that session.

At that time not only I tried to call the bill up, but a majority of the members of the committee, from the Republican side, tried to call the bill up for action, and the chairman took the attitude that the bill would not be considered by the committee.

So, in trying to save the face of the chairman of that committee, the then and now Republican State Chairman and President Pro Tempore of the Senate, Senator Harvey Taylor, introduced a resolution proposing a study to ascertain methods of getting the gasoline tax back to the various municipalities, and that study has been made through the last two years.

Mr. President, if House Bill 62 is enacted, as it was amended by the Senate Committee on Highways, it will completely ignore the recommendations of the Tax Advisory Committee and repudiate the expressed motive and objective of the Senate resolution, because enactment of the measure will not give the political sub-divisions a fair and proportionate share of the funds, nor will it equitably relieve local real estate taxation to the greatest extent possible.

Approval of the measure in this form will nullify the pledge to the people by the Senate in adopting the Taylor concurrent resolution two years ago, because the bill will only allocate part of the extra tax to be levied, and it will allocate the funds on a straight mileage basis. A straight mileage allocation will create gross inequalities of distribution, not only between cities, boroughs and townships, but even between political sub-divisions of the same class. For instance, Mr. President, some heavily populated second class townships are required to spend over $1,000 per mile on their roads, but others spend less than $100 a year per mile. Mr. President and members of the Senate, on a straight mileage allocation all would receive the same amount, about $97 per mile. It is therefore obvious that the straight mileage plan of allocating a share of the gas tax would not give each political sub-division a fair share of the funds.

My mind goes back, probably a matter of six weeks ago, when the Governor of this Commonwealth went down to York, Pennsylvania, and made a speech in which he said to the people whom he was addressing, and to the people of the state, that he was awfully tired of the local municipalities coming to Harrisburg with tin cups in their hands. I say to the Governor of the Commonwealth we are awfully tired of the Governor and the Republican majority coming to the municipalities with their tin cups and taking our money and giving us nothing back.

I am well aware of what went on in the Republican caucus last evening. When this bill was before them for consideration the gentleman from Allegheny, Senator Geltz, had amendments similar to the ones I offered and was not given the courtesy of having read tonight. The vote in their caucus was 16 for the amendments of Mr. Geltz and 11 opposed.

As I am told the story—I am not a member, of course, of the Republican Party or of their caucus—a phone call came from the gentleman—or one of his agents—who said he was tired of the municipalities coming to Harrisburg with tin cups in their hands, and who has been telling the papers that he has no "must" legislation and that the problems of this Legislature will have to be worked out by them, but he saw fit last evening to call them and dictate to them: "You will pass the bill as it was amended in the Senate Committee on Highways or there will be no bill at all."

Mr. President, I can remember the days when the Republicans accused the New Deal in Washington, saying the boys did not have the power of their own votes, and that everything was dictated to them from the White House. During the sessions of Congress in 1936, 1937 and 1938 I want to tell them there were only two caucuses of the National Congress, other than when they formed at the beginning of the year. In Mr. Roosevelt's days never did he call the Congress and tell them "you will do it this way or else." He took the bills that came before him and either signed them or vetoed them. I do not believe in that form of government.

Now, Mr. President, we from Pittsburgh and the gentlemen from Philadelphia, come from two thickly populated spots in this state. If this one cent gas tax is given back to us on a mileage and population basis we will receive some money, but not near what we think we are entitled to, to try to maintain our streets.

Several weeks ago, and I voted for it, Mr. President, we passed a big truck bill here. That is going to impose another hardship on the streets of our municipalities and I think, Mr. President, that we ought to be compensated somewhat by the state for maintaining our streets. I do not think there is another state in the nation where the municipalities get less back from the gasoline and vehicle taxes than do the municipalities in Pennsylvania.

Therefore, Mr. President, I ask my colleagues to vote "no" on this bill, such as it is. I hereby want to tell the members on the other side that I have been given information today that the toll bridge bills will be held on the Calendar in the House until they restore this back to a fifty-fifty basis.

I want to make one other point, Mr. President, before I sit down. I want to let the members of this Senate know that two years ago there was an appropriation of $7,000,000 to second class townships. That appropriation does not have to be made this year and that is $7,000,000 more the highway fund will have. Governor Martin, in his budget estimates there will be $22,000,000 from this one cent tax, and he is willing now to give only $8,500,000 back. In other words, he is going to enrich the highway fund and still stab the municipalities in this state.

I mentioned some figures last night, so I will not take the time of the Senate to give those figures again, but I say those figures were gathered on a spot calculation for allocating money to the boroughs and townships on this $8,500,000 basis, and they are not accurate.

Mr. WALKER. Mr. President, I would like to make just two comments on the scholarly address of my good friend from Allegheny, Senator Barr.

First, I would like to say to the gentleman from Allegheny that up to this point I have not been consulted by the officials of the city of Pittsburgh, either the present mayor or the members of the council; perhaps the successors to the present administration in Pittsburgh will consult with me, regardless of the outcome in 1945.

I also want to say I have heard from most of the boroughs and townships and third class cities in my Senatorial district, and their reaction to House Bill 62, as it now appears on the Senate Calendar, is just a little differ-

ent from the impression the gentleman from Allegheny would attempt to create in the Senate here this evening. They have advised me that they are very happy about the situation and they are tickled to death that they are getting something back out of this gasoline fund.

But, Mr. President, the two items I want to mention that were touched upon by the gentleman from Allegheny, were, first, his play-by-play description of what took place within the Republican caucus. I want to point out, as the gentleman said, he is not a member of the Republican caucus—and that is, of course, his fault and not ours—and he was not at the meeting that he so carefully and meticulously described and, therefore, whatever information he had was, I presume, based upon hearsay. I want to say to the gentleman from Allegheny, because I know he is desirous of always presenting an accurate description of fact before the Senate, that what was told to him took place did not take place, there was not such a roll call and there was not such a telephone call. The gentleman from Allegheny attempted to imply that his Excellency, the Governor of the Commonwealth, put in a phone call, and like Simon Legree, cracked a black-snake whip over the Republican Senate and said "this is the way you are going to do it." At this point I want to say to the gentleman from Allegheny, Senator Barr, at no time has the Governor of Pennsylvania ever, directly or indirectly, appealed to the Republican side of this Senate to do something because it was "must" legislation. The only time the Governor has ever appealed for the straightening out of bills and getting things done has been in bi-partisan discussions that have taken place, when some of the gentlemen from the minority side are always present, and that, of course, is a departure because, while I was not present, I am told that did not take place during the administration of Governor Earle.

The gentlemen from Allegheny makes a threat that the toll bridge bills will be held on the House Calendar unless Houes Bill 62 is returned to the House in the same condition in which it left the House. That is a suggestion that bills will not be acted upon strictly on their merits, but that one of the political parties represented in the Legislature of Pennsylvania will deliberately hold a gun on bills until they achieve their own desires.

Mr. President, if I might resort to a somewhat homely illustration, about twenty years ago I had a nephew who lived next door to me, a little codger about three years of age—he is now flying a plane in Europe—but he was a stubborn little fellow and when he would not get his own way he would hold his breath until he got red in his face and everyone would make a great fuss over him, and when he saw he could get his own way by such a demonstration he would do it again—he was just a spoiled child—and when he could not get his own way he resorted to that type of action.

This business of threatening to hold bills on calendars until we get our own way is not my idea of being representative of the ten million people in Pennsylvania.

About these toll bridge bills the gentleman from Allegheny is threatening to hold on the House Calendar that is an interesting departure, because I did not know the influence of the gentleman from Allegheny extends to the House; I have had very little influence over there in the six years I have been in the Senate. If the gentleman from Allegheny thinks those bills will stay on the Calendar in the House until he gets House Bill 62 in the shape he wants, then that certainly is a clear indication of my three year old nephew holding his breath.

If these toll bridge bills are not good bills, they should not be passed, if they are good, if the people of Pennsylvania are entitled to have these toll bridges freed from their tolls, then they should be passed. Every bill has a right to rise or fall on its own merits and I think we are resorting to policital tricks when we threaten the Senate of Pennsylvania, and the people of Pennsylvania, on bills that are meritorous, in order to get other bills, on which there is honest difference of opinion, passed or fixed up in the Legislature.

I would like to say to the gentleman from Allegheny, Senator Barr, that House Bill 62 has raised a lot of sincere and courageous discussion on both sides of this aisle, and there are men in this chamber who have sincere opinions as to how this money should be divided, and it is the consensus of opinion of a majority of the members of this Senate that the bill as it now appears on our Calendar, is the logical and most expeditious way to do this thing at this time. If that is the will of the majority then, Mr. President, those of us who have participated in the last twelve years in national elections have learned, although we do not like it, we bow to the inevitable will of the majority. The gentlemen to the left of the aisle must remember that we on the Republican side of the aisle are in the majority. As to determination of the policy of distribution of these funds, we are perfectly willing to appear before the ten million people of Pennsylvania to annswer for our conduct on this bill, and we do not think we should be threatened in the formulation of the policy of the party to which we owe our allegiance.

Mr. SNOWDEN. Mr. President, I do not believe in the long and lengthy discussions concerning a great many matters, that have taken place on this floor. However, in order to correct this record and keep it straight, I think a few remarks are in order.

As the gentleman from Allegheny, Senator Barr, brought up, it was perfectly true that in the dying days, or possibly the last week, of the session two years ago, there was a bill introduced in the House, passed by the House, it came to the Senate, making an appropriation to boroughs, cities and first class townships. I forget the exact amount, but possibly it was $8,000,000, $8,500,000 or $10,000,000. That bill was referred to the wrong committee in the Senate and I, as Chairman of the Senate Committee on Highways, at that time requested that the bill be sent to the Senate Committee on Highways for study and consideration.

When that bill came into the Senate Committee on Highways we looked over the situation and we could not find where we were going to get the revenue to meet this bill and therefore the logical thing to do was to kill the bill in committee, which we did.

As an outcome of that, there was a resolution introduced by the gentleman from Dauphin, Senator Taylor, and I believe at the suggestion of the Committee on Highways—to make an investigation and provide for this appropriation at the present session.

This matter was taken up by the Joint State Govern-

ment Commission. In contradiction to what Senator Barr has said, the Joint State Government Commission appointed a sub-committee which studied this matter for a matter of eighteen months, and I may say there were eight or ten—I forget just exactly the number—very representative citizens of our Commonwealth who made a rather comprehensive study of this matter. As a result, a bill was formulated and introduced to make a division of the one cent emergency gasoline tax—of three-tenths of one cent to boroughs and cities of first class townships, three-tenths of the one cent to second class townships, and four-tenths of the one cent tax to the motor license fund. Evidently this was just thrown out the window and given no consideration, after the great deal of study that was given to this matter, and as an outcome we were presented with a bill that was entirely foreign to any recommendation that I ever saw come from either the sub-committee or the Joint State Government Commission.

As the bill came over from the House I considered it very unfair, from two angles. I do not believe we have a right to confiscate the whole one cent. I do feel that some of these moneys should be retained and kept in the motor license fund and I believe a certain part of it should be given to the different sub-divisions of our Commonwealth.

We took the liberty of amending this bill to what we thought was a fair bill. There is some objection, and it comes principally from the two larger cities of the state. I have no quarrel with the city of Philadelphia, I have no quarrel with the city of Pittsburgh, but under the bill we now have before us for consideration it is positively true that Pittsburgh and Philadelphia receive a little less money, in order to balance the entire program.

I just want to make this remark, that the Senate Committee on Highways introduced and reported out, over the last four years, a bill making an appropriation to the City of Pittsburgh, for $30,000,000, to construct the Riverside Park Drive. We also appropriated and agreed that Philadelphia should have $50,000,000 as a building program over a period of five years. I believe those two cities have been pretty well taken care of.

The third class cities of our state have never received a cent. Under this bill it is true that Allentown, Harrisburg, Lancaster, Williamsport, and all the balance of the third class cities, will receive a nice appropriation, and I feel it is about time that we took care of them, in order to be fair, that we take care of some of the other third class cities, and not give all this money back to the first class cities of Philadelphia and Pittsburgh.

The bill before us tonight is a temporary measure. It is only to be enacted for two years. In the meantime there has been a resolution, and also an appropriation, passed by this Senate, and I believe it will pass the House, which will set up a commission which will really make a very close and a very careful appraisal of the entire situation. Two years from now I certainly hope we will come back to this Senate, or at least that the Senate will be confronted with a program of making a permanent allocation to our sub-divisions. If I am here, I certainly will lend my support to that, because I do not like to have this controversy every two years. I do not feel our sub-divisions should come in here with tin cups in their hands asking for appropriations every two years. I would like to see this matter settled once and for all on an equitable basis. You can not do that by just grabbing some figures out of the air. I feel the proper thing to do is to pass this bill, exactly as we have it on our Calendar tonight, and go along with that proposition for two years and at the end of two years have prepared —which this resolution that Senator Taylor introduced will produce—a program we can go along with and settle this matter once and for all.

I do not like to continue this discussion, but there are certain facts the people of this state should know. I feel under this bill we are taking care of certain third class cities, which never received a cent before, and which certainly do deserve some consideration.

I am asking you gentlemen here tonight to go along and support this bill.

Mr. HOLLAND. Mr. President, will the chairman of the Committee on Highways permit himself to be interrogated.

The PRESIDENT. Will the gentleman from Lycoming, Mr. Snowden, permit himself to be interrogated?

Mr. SNOWDEN. I will, Mr. President.

Mr. HOLLAND. Mr. President, in the last biennium, was not the one cent emergency tax collected and used in the highway fund.

Mr. SNOWDEN. Was it used in the highway fund?

Mr. HOLLAND. Yes, Mr. President.

Mr. SNOWDEN. I believe, Mr. President, it was put into the general fund, not the motor license fund.

Mr. HOLLAND. Mr. President, it is quite amusing to sit back here and hear the lily-white statesman from Allegheny county criticize others on the passing of bills. Just three weeks ago the gentleman from Allegheny county, Mr. Walker, threatened right at my desk, to three members of the House, that no bill would come out of his committee unless a bill presented by him, and which was in a House committee, was reported out. Quite an argument ensued for some time, and some of the House members came to me and asked me what I could do in the matter, and for him to stand up today and say that all this legislation should be considered on the merits and no threats made, does not come with good grace from him.

I asked the Chairman of the Committee on Highways whether or not the one cent emergency tax, which we are enacting tonight as a permanent tax, was ever used in the Highway Department. He admitted that it was not. Therefore, Mr. President, in these appropriations that are being made tonight we are not hurting the Highway Department in any way. We are merely taking the one cent relief tax and enacting it into a permanent law, and we should, if we are enacting it into a permanent law, return it back in the form of the relief tax it was originally intended for. It was intended first for the hungry people. Now I think it should be returned back to the poor districts of Allegheny county, Philadelphia county, and all the other counties of the state, which are in urgent need of money to repair and maintain their streets.

When the big truck bill was passed I said on this floor I was voting for the big truck bill because I was under the impression the one cent tax was going to be returned to the local communities.

There is one other thing, outside of maintenance of the streets, that you failed to take consideration of in pass-

ing the big truck bill, and I know this from practical experience, that is, in all the cities where the large trucks are being used today, sewers are caving in due to vibration of the large trucks passing on the streets. In the city of Pittsburgh alone it is going to require close to $2,000,000 to rebuild sewers in the coming year. The crowns of these sewers were not built to hold the very large loads of the trucks, as they were built in the horse and wagon days.

Therefore this appropriation is far-fetched. I wonder if the gentleman who is Chairman of the Committee on Highways knows that the money they are appropriating does not even begin to pay for the handling of traffic in the state of Pennsylvania.

The city of Philadelphia alone pays $3,000,000 a year for the handling of traffic, the city of Pittsburgh pays $900,000 a year for the handling of traffic, and the boroughs of Allegheny county pay over $300,000 a year for the handling of traffic. The appropriation you are giving them does not begin to pay the way of the motor truck industry in these cities.

I also heard the gentleman from Allegheny county say that he spoke to one third class city mayor in Allegheny county and he was for the bill. I received a call from Mayor Mullens and Elmer Malloy, stating that they were being cheated on the way this bill was written, and I have also talked to the representative of third class cities in the halls of this Senate, and he always was complaining he was being cheated, the way the bill was now drawn.

As far as saying there was not pressure brought, Mr. President, on the passage of this bill, I differ with you. It is common knowledge in the Capitol here that the Governor of this state did say if he did not get this bill he would not accept any other bill. Why deny it? It is common knowledge.

Mr. President, I am going to vote against this bill. I resent the idea of saying that local communities are coming here with tin cups, in their hands; they are not coming here with tin cups. It is their money. It is not the Governor's money. It is money that belongs to the people of Pennsylvania. In the large communities, with the large populations, we are suffering more from the large trucks as a result of the bill you people helped to pass, and which the Chairman of the Committee on Highways helped materially to pass. We are suffering from those bills. When this bill was proposed it was the intention—at least I was so told—that we would get this one cent entirely, because, after all, it is an emergency tax. We are not raiding the highway funds. You yourself, Mr. Snowden, I believe, voted against this one cent emergency tax for relief. Now we are enacting it into law. Therefore I say, if you are enacting a permanent law, it is no more than right to take this one cent and give it back to the communities, where it belongs, and help to pay for maintenance of the streets and take some of the load from the poor home owners.

You are subsidizing the trucking industry of Pennsylvania; that is what you are doing. You are making the home owner build streets, so that you and other people in the trucking industry can go over our streets and use them. I say it is unfair for you members of the Senate to place big trucks on the highways, in our cities, and not give proper appropriations to the cities to maintain the streets. The railroads pay for their own highways. Why should you allow the trucking industry to be subsidized by the government?

I say to you it is a very unfair bill. I personally am going to vote against this bill, because I do not believe, just merely because you give me a slice of the loaf, that I should vote and say thank you. I say to you this belongs to the people of Pittsburgh just as much as to the people of Pennsylvania.

Therefore, Mr. President, I ask the members of the Senate to vote down this bill.

Mr. BARR. Mr. President, I do not think the Chairman of the Committee on Highways really knows what is in the bill. If he will read section 2, page 10, he will find out an appropriation to the Joint State Government Commission is in the bill. I heard him say a few minutes ago he thought the bill had passed the House and the Senate. I am further convinced that the members on the other side do not know just what is going on.

Mr. President, I would like to interrogate the Chairman of the Committee on Highways.

The PRESIDENT. Will the gentleman from Lycoming permit himself to be interrogated?

Mr. SNOWDEN. I will, Mr. President.

Mr. BARR. If the gentleman from Lycoming can recollect back two years ago, when he said the committee killed this bill, does he remember us trying to get him to bring the bill before the committee for consideration, and the gentleman from Lycoming said he would not let us consider the bill in the committee.

Mr. SNOWDEN. Mr. President, that is absolutely correct. There was no use considering a bill to remove $10,000,000 from the motor license fund, if we did not have some means to replace that $10,000,000 with some source of revenue. So therefore it was certainly foolish to consider that bill.

Mr. BARR. My point was, in his statement a few minutes ago, the gentleman from Lycoming said the Committee on Highways had killed the bill, when it was the Chairman that killed the bill.

Mr. SNOWDEN. I take exception to that. I do not feel that any man has a right to stand up in this Senate and say the chairman killed the bill. The committee killed this bill.

Mr. BARR. I have to take issue with the gentleman. I was at the meeting two years ago, and that is the reason I can talk of the committee meeting, because it was not a committee meeting of this session. I was there, and members of his own side were there, and we begged him to let us consider the bill and he said no; very emphatically he said no. The committee did not kill the bill, I reiterate; the Chairman of the committee killed the bill, by not allowing us to consider it, because if he had, it would have been brought out and passed.

I listened to the remarks, a few minutes ago, of the gentleman from Allegheny, Senator Walker, and either his hearing is bad or he just does not listen. He said I had said the Governor called up their caucus. If you will remember, I said it was either the Governor or some agent of the administration, but the gentleman from Allegheny forgot the second part, namely, an agent of the administration. I did not say there was any roll call in the Republican caucus, as the gentleman from Allegheny said;

I said there were sixteen men in favor of the amendments and eleven against them, when they got word from the administration.

Then again, Mr. President, the gentleman from Allegheny is trying to make me out a pretty big man by intimating that I can hold any bill in the Republican House of Representatives. Mr. Walker, you can not give the people of Pennsylvania the impression that Brother Barr can hold any bill over in the House. If that bill is held, it takes Republican votes to do it.

Mr. WOODWARD. Mr. President, I have never learned to speak at length in the Senate Chamber, but I was very much interested in the story of the gentleman from Allegheny, Senator Walker, about the horrid little boy who attracted attention by growing red in the face from holding his breath, and while he was telling that story, trying to apply it to his distinguished colleague from Allegheny county, Mr. Barr, I could not help thinking that it is true only fifty-fifty; the distinguished Senator from Allegheny often gets red in the face, but he has never learned to hold his breath.

The PRESIDENT. The Chair calls to the attention of the Senate that House Bill 62 is still under discussion.

Mr. DENT. Mr. President, I do not intend to get lost and I intend to follow the course of discussion on House Bill 62 rather than get out into the woods again with my friend from Philadelphia, Senator Woodward.

However, I might call the attention of the Senate to the fact that you are now passing a bill that represents another broken promise of the Republican Party, for in the general election of the year of 1938, when the then Republican leadership, headed by the breaker-boy from up in Luzerne County, was out campaigning, he made the statement that the Earle nuisance taxes would be repealed if he were elected Governor.

We find here tonight, seven years later, we are not only passing one of the Earle nuisance taxes, but we are making it a permanent tax upon the motorists of Pennsylvania. It was a direct promise of this administration that relief would be granted to the local municipalities, by granting to them some return from the gasoline tax. We in Pennsylvania ought to be ashamed of the financial condition of the municipalities within the Commonwealth. We are a broken, bankrupt government, so far as our local governments are concerned. Great municipalities with eighteen to twenty-five thousand population have street and sewer appropriations set up in their budgets as low as $13,000 a year. Why, they can not do any more than repair the holes caused by the traffic and the floods and the weather.

You gentlemen realize that in the early days, when the communities of this great Commonwealth had one or two paved streets, they did not need so much money for street care, but today most everybody in this great Commonwealth owns an automobile, and although a war is on and use is restricted, we will come again to the day when most of our citizens will use their cars regularly. They want paved streets, they want streets that are kept in good repair, they want streets that are kept open in the winter, they want streets they can travel over to get to and from their work, to get to and from their homes, to get to and from their schools and business in the community, and the only way they can do that is to have a greater return from the taxes the motorist pay. It is not fair to a home owner to place upon him the burden of maintaining the streets and the roads and the highways.

You gentlemen realize that by pressure the motorists, through their organizations, have achieved a goal they have had for years; they have restricted the use of all moneys received by the Commonwealth from taxation upon motorists, upon vehicular traffic, all taxes on gasoline, motor licenses, and so forth, they have restricted it to the use of highway purposes only.

When are we going to pass some law that will restrict the use of money assessed against real estate to the benefit of real estate only? Why should you ask a man who benefits none whatsoever from a highway or a street, an individual that owns a small home on an unpaved street in a community, when are you going to say to him, "you do not have to pay a share of the taxes we assess against your property to take care of a paved street downtown for the man that owns an automobile?"

I do not think any man on the other side will say we are asking for anything unfair. Forty-seven other states and commonwealths of this great nation give a greater proportion to the local communities than Pennsylvania does. They give as high as thirty-five per cent of all the revenue received from motor vehicles, all the revenue received from gasoline taxes and motor licenses, and here we are squabbling about three-tenths of a cent on one cent of a gas tax. We are squabbling about a percentage of one cent that is assessed against the motorist. We do not ask you to use this money to repair sewers, we do not ask you to use this money to put in lighting systems, we do not ask you to use this money for burglary protection or fire protection; we ask you to use this money for the specific purposes intended by the legislation that we have passed—strictly for road and highway purposes.

Gentlemen, the Chairman of the Committee on Highways said that upwards of $10,000,000 was asked in 1943 and the bill was defeated because they did not know where the money would come from. Does anybody in Pennsylvania not know how much of a surplus is resting over in the highway fund? Does anybody in this Commonwealth not know that they have more money than they possibly can spend in the next two years, with a restricted building program? That argument does not stand of its own weight, because, gentlemen, anybody knows that this is the cheapest, the chiselingest proposition that has ever been presented to the Senate of Pennsylvania. You men ought to know, from your years of experience, that the department heads selected to be members of the cabinet come down here to Harrisburg, under any administration, Democratic or Republican, to set themselves up in such a position that they will leave some sort of a record, whereby they have gained more power and more authority for the department they represent. It is not peculiar only to the Highway Department; it is peculiar to all departments of government.

We stand here in the Senate and listen to arguments against the federal government taking from the Commonwealth of Pennsylvania great sums of money through federal taxes and dribbling back to Pennsylvania small sums in return, and you stand right here tonight and you admit that you are taking from Philadelphia, that you are taking from Pittsburgh, that you are taking from Jeanette, that you are taking from Podunk, and from

every little town in Pennsylvania, more money than you return.

Do you think there is any difference between state rights and home rule? Basically, the principle is the same. Communities are drying up in Pennsylvania. We have worse conditions than any of our neighboring states. In the summer time the dirt streets are nothing but a cloud of dust—they can not even afford oil to keep the dust down. I know, because I served four years on a city council, and in those days in my young political career I learned that we had to get some money from the motorist, because he contributed not one cent to the upkeep of the streets. What would be the need if you did not have motor cars or trucks? No need at all—because people can walk without paved streets—but you can not drive cars and keep up the transportation system of this nation without paved streets.

Gentlemen, I know the argument behind this bill and I know exactly what the whole score is. They say, "sure, we could afford to give them the whole cent, but in normal times that might amount to as much as $40,000,000", and they do not want to give the cities, boroughs and townships $20,000,000—half that amount—so that they could take care of their streets

I say to you, and I say it advisedly, you might get away with this bill; I do not know. It used to be—and this is a sad commentary—that the thoughts of the people of Pennsylvania were usually exemplified by the action in the Senate. Shame upon the Senate of Pennsylvania. The House of Representatives, if you please, in this session of the Legislature, has shown exactly what the people are thinking in the matter of school legislation, in the matter of road legislation, in the matter of compensation, in the matter of labor laws. The House of Representatives has now resolved itself into the body that represents the thinking of Pennsylvania. I sometimes wish I were a member of that honorable body, Mr. President—and the Chairman of the Committee on Highways quite probably would be better pleased if I were.

The Chairman of the Committee on Highways said we passed a bill that gave Pittsburgh $30,000,000 for a park driveway, but he failed to explain to the Senate that that roadway, when it is built, will be built for the comfort, for the luxury and for the pleasure of tourists or the out-of-the-city driver; it does not relieve a fellow owning a home up on the hillside; it does not relieve one cent of taxation from any resident of the city of Pittsburgh. It is just like saying to me, "you are from Westmoreland county; we have spent millions of dollars in your county on Route 30 or Route 22, the turnpike." Why, gentlemen, the people in my county only use those national routes when they are going somewhere, when they are going out of the county. The streets that we use every day, we as home owners pay for the upkeep of, and I say that is unfair. I say this is the smallest possible thing we could do to relieve real estate. There has been nothing done yet in this session to believe one cent of real estate taxation, and yet every man in this Senate knows the backbone of the wealth of the Commonwealth of Pennsylvania is the real estate owner. He is the man that keeps our schools up, he is the man that keeps our communities up, he is the man that has built the physical wealth, which in turn is the sponsor of the cultural wealth of this state and of this nation.

Gentlemen, you can not do anything else but vote as you are voting. I will not accuse the Governor of swinging a big stick. The gentleman from Allegheny took it upon himself to try to divulge to the members of the Senate what went on in the bi-partisan meetings. I will say now that we have had the nicest relationship in these meetings, that I think the Governor of the Commonwealth of Pennsylvania is a very gracious gentleman, that at all times he has treated us as men who represent the thought not only of our parties, but of our people in our districts. At no time has he ever tried to take political advantage of the fact that he had representing him a majority in the House and Senate, but I do not hesitate to say to the Governor that he wants this bill passed as it is, as you have amended it. I do not hesitate to say that he has taken the responsibility for it, because he knows full well if you pass it in the form we ask that it be passed, he will be faced with the proposition of either having to sign it or veto it, and so he would rather have it come to him in the form he would like to have it—not he himself—but the Secretary of Highways wants it that way. You see, gentlemen, we have passed a couple of bills taking over toll bridges, and so we have to knock off a little money from the cities, boroughs and townships to pay for the toll bridges, so that the taxis, tourists and buses do not have to pay any more money to go over the bridges. We know that, but we do not bring it out publicly—we just insinuate the thing.

The gentleman from Allegheny, Mr. Walker, said the communities will be happy to get this. You know, Mr. President, that is funny. You take a man that is starving, he is hungry and he will take a crust of bread and be grateful for it, but you know he needs a full meal; you know he will never gain his strength back by giving him a dry crust of bread, with a glass of water; he needs nourishment, he needs food, and that is what we are asking for. Why give him a crust of bread? Give him something substantial, something that will build our communilties up into places we are proud to live in, something as strong and substantial as the Commonwealth of Pennsylvania itself. Here we are like an arrogant father, with our pockets bulging with our money, and we see our children sick and weak and starved, and we will not spend the money we are hoping to save for another election, or our old age, if you please, we will not spend the money to make our children healthy.

I am going to take a different position than my colleagues who have asked you to vote "no". I am going to ask my colleagues of the Senate to vote "aye". I am not going to be a dog in the manger or a crow without bait; I am going to say to the members on this side, be bigger than political impulses would have you be. I am going to ask Senator Barr and Senator Holland to go along with me and to vote "aye" on this bill, because, as I said, even a crust of bread to a starving man may save his life, so that some day he may get to where he will sit down to a full meal.

Mr. GELTZ. Mr President, I am going to vote for House Bill 62 as it appears now, notwithstanding the fact that I introduced amendments last night to put this bill back in the same form in which it came to us from the House.

I intended to make no remarks to justify my position on the bill in introducing the amendments, but because of one statement made by the Chairman of the Committee on Highways, in which, inferentially at least, he seemed to indicate that this question arose simply because Philadelphia and Pittsburgh were not getting quite the share of the fund that they felt they should get. That is not the reason, Mr. President, I introduced the amendments. I introduced the amendments last night because, in the first place, as I recall, the Governor in his budget message made some statement to the effect that the Legislature should make a disposition and an allocation of the receipts from the one cent gasoline tax to the local subdivisions. I think the proper allocation and the proper disposition is to return to the local sub-divisions the full revenue from the one cent tax, whether that revenue is the $22,000,000 which has been estimated or whether that revenue is in excess of the $22,000,000.

There is not any question, I believe, in the minds of any of those who have made any study or examination of our system of taxation, that some revision is necessary and in that revision something must be done for the assistance of the local sub-divisions. We also know that this past winter was the worst winter we have had during the lifetime of most of us. Every local sub-division, whether it be second-class or first class township, borough, or any one of the various classifications of cities, will need a greater amount of money in the coming months in order to put their highways and streets back in proper condition because of the ravages of the extreme winter which we have just passed through.

I feel, Mr. President, in doing that, if we were to return the revenue from the one cent tax, we would, in effect, be taking nothing from the Commonwealth. If my recollection is correct, the Governor did not include any part of the revenue from this one cent tax in his budget. Therefore, to return the full one cent should not in any way affect the administration's budget.

In addition to that, in the last session of the Legislature, I believe, the second class townships received a sum of $7,000,000 in an appropriation. That, Mr. President, will not be done in this session, whether House Bill 62 passes in the form it now is, or with the amendments which I attempted to introduce last night. Therefore the general fund, or the highway fund, will in effect be $7,000,000 ahead of the game in this session from what it was in the last session.

In addition, of course, if the bill passes in its present form, with the $17,000,000 appropriated, there would be, even on the estimated revenue, a balance of $5,000,000, which would give the administration another $5,000,000.

In other words, Mr. President, I feel, and I felt when I introduced the amendments last night, that what I was doing was the just thing to do. It seems to me it is the one opportunity which we have in this session to give some positive relief to the home owner and the real estate taxpayer. Otherwise there seems to be little hope for relief of any kind for the real estate taxpayer. This is one way that we could at least make one move which might possibly bring about some little portion of that much needed relief.

Mr. SNOWDEN. Mr. President, I do not want to continue this discussion any longer than necessary, but there are a few things which should be corrected.

The gentleman from Allegheny, Senator Holland, continually stressed that this bill carried a permanent one cent tax. I do not think that is correct. This is a temporary tax to be levied for two years. As I said before in my few remarks, at the end of this biennium we hope to have a bill that will be satisfactory to everybody and I do at that time hope to see it made permanent, the same way as the division of the funds will be made permanent, but at present this is not a permanent tax.

The gentleman from Westmoreland, Senator Dent, seemed to belittle the $30,000,000 grant to Pittsburgh. He seemed to feel that it did not benefit the proper people. The Chairman of your Committee on Highways in this session is certainly not in a position to say who this will benefit, but I do know it will deplete the motor license fund to the extent of $30,000,000, and to me $30,000,000 is a lot of money and should not be laughed about.

I have heard the opponents of this bill continually complain about the excessive damage the past winter has caused in the boroughs and the cities of this state. I admit that. That is positively correct. I know my own city suffered more damage this year than ever before, in its history that I can remember, but I also wish to call to your attention that the highway system has also suffered the same type of deterioration due to the excessive winter, cold weather, snows and floods, as did the cities and boroughs.

I wish to call your attention to this one fact—and I think we all have lost sight of it—that Pennsylvania has five times as much highway system to maintain as some of our neighboring states. Take New York state for instance. According to my recollection—I am only quoting from memory and I can be corrected on this—but I believe they have in the neighborhood of eight thousand miles of roads, and they have more revenue than Pennsylvania. Back in the days of the Democratic administration, under Governor Earle, I believe, at that time our system was enlarged from some twenty thousand miles to 40,600 miles. Think of that, gentlemen of the Senate, when you are considering this bill, that we have got 40,600 miles of highway to maintain, and yet if you gentlemen go out on the roads and find a bad place in a road, the first thing you do is complain to the Highway Department.

It costs money to maintain forty thousand miles of road. Our opponents talk about returning twenty-five per cent of the one cent tax revenue back to the subdivisions—they say thirty per cent in Ohio. That is all right. They have only got some twelve thousand miles of roads in Ohio, and they have practically the same revenue we do, and I would not know what they would do with the money if they did not return some of it back to the communities, but when you come to stretch our income over forty thousand miles, it does not go quite far enough.

I heard the gentleman from Westmoreland, Senator Dent—and I hope he hears this—say that the coffers of the Highway Department are bulging with money. It is absolutely true that we have money over there—and we would be positively bad housekeepers if we did not;

we have had decent revenue for the last several years. Due to the war and different conditions, maintenance could not be kept up, there could be no more construction, the federal government interfered with new construction, and we would be poor housekeepers if we did not build up a surplus.

I happen to have in my desk an estimate for the next biennium and it runs something like $185,000,000, if my memory serves me right. We do not have enough to pay that. If we do not get some extra revenue, or gasoline sales do not go up, we will be $15,000,000 short of putting across our program for the next two years.

Why complain about the enormous amount in the motor license fund? We need it. We are good housekeepers and we are running the department economically; we are running it like a business ought to be run. We are saving this money until the green light flashes and we can go ahead, and every one of you in the state of Pennsylvania will benefit.

I think this is a fair division of the money. I do not think it is fair to confiscate the whole cent. I am sympathetic with the third class cities and the townships. They should have some money, and they are getting a nice sum of money. $8,500,000 is not an insignificant sum, stretched out over a mileage basis.

It was never the intent of the Legislature that we would pay the entire cost of maintenance and upkeep of these roads. I have heard statements, previous to my coming to the Senate in 1939, where the intent seemed to be to try to meet fifty per cent of the maintenance costs of the townships, cities and boroughs, and that was based on the actual cost of the three previous years. The Legislature at that time tried to meet fifty per cent of that cost, and they came pretty close, and they did a mighty good job.

It is true, as was said by the gentleman from Allegheny, Senator Geltz, that we will be relieving the motor license fund of an appropriation of $7,000,000. That is true. We expect, under this bill, to get approximately $4,000,000, from this one cent tax, to turn back into the motor license fund. $7,000,000 plus $4,000,000 equals $11,000,000. That will partially take care of what our deficit will be after we put through the two year program for the next biennium.

I understand $185,000,000 is required to put these roads back in condition, and do the work already planned. We do not have that, and do not have it in sight. At the end of the biennium, the way it is going now, as near as we can estimate, we will still be $50,000,000 short. We will have $11,000,000 toward that deficit out of this bill that we have before us tonight.

Therefore I repeat, and I am going to cut it short, I do not believe in these long arguments, you could go on and on and on. There are a dozen more questions I have here to answer, but I am not going to answer them.

I am just going to ask my good friends of the Senate, on both sides, to support this bill. I know the opposition dare not go home without something. They say they are going to be magnaminous and vote for this bill. I feel they have just got to vote for this bill. They can not go back to their cities and boroughs without taking something back.

This is a good bill, it is a fair bill, it gives them a lot of money they never had before, and therefore I say let us pass it and get it off our Calendar.

Mr. GOURLEY. Mr. President, for the reasons expressed by my friend from Allegheny, Senator Geltz, I intend to vote for this bill.

Mr. BARR. Mr. President, I will only take one more minute. I want to again advise the Chairman of the Committee on Highways that he does not know what is in the bill. If he will look at page 6 he will find this is not an emergency tax. It says the entire amount of the additional—and the word "emergency" is stricken out. This tax of one cent per gallon is not an emergency tax.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Becker,	Ealy,	Klein,	Stevenson,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Homsher,	McGinnis,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,		

NAYS—5

Barr,	Holland,	Rosenfeld,	Stiefel,
DiSilvestro.			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 112, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College to acquire a certain tract of land for the use of said school and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land about sixty (60) feet by one hundred fifty (150) feet together with all buildings thereon erected situate in the Borough of Indiana Indiana County Pennsylvania at the southeast corner of the athletic field of the Indiana State Teachers' College

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Indiana State Teachers' College The deeds of conveyance shall be deposited with the Secretary of Internal Affairs The said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of four thousand dollars ($4,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 171 on third reading, entitled:

An Act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 176, as follows:

An Act to add sections eight point one and eight point two to the act approved the thirtieth day of March one thousand nine hundred three (P. L. 106) entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" by fixing the interests of the various taxing authorities having taxes or claims against property sold under the provisions of said act by the treasurer of any city of the second class and providing for the distribution of moneys received as income from or resale of any such property purchased by the city at such tax sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the thirtieth day of March one thousand nine hundred three (P. L. 106) entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" is hereby amended by adding thereto after section eight two new sections to read as follows

Section 8.1 After the period for redemption as provided for in this act has expired and the said lands have not been redeemed it shall be the duty of the city treasurer to certify to the Board or Boards of Assessors or proper assessing authorities charged with the duty of assessing such real estate for purposes of taxation that he sold the lands to the grantee named in the deed and that the period for redemption has expired and said lands have not been redeemed and if the said lands have been sold to the city the aforesaid assessing authorities shall not thereafter return said lands for purposes of taxation and no taxes shall be levied thereon as long as the property is held and owned by the city Copies of the aforesaid certification may also be furnished to deed registries or other interested authorities

Section 8.2 The interests of all taxing authorities having taxes or claims against any property sold to any city of the second class by the city treasurer under the provisions of this act shall be fixed and determined as of the time of the certification by the city treasurer as provided for in section eight point one and shall remain fixed without the necessity of filing or reviving liens or otherwise preserving such taxes or claims and if the said city receives income from the property it shall distribute any net income first to the cost of the treasurer's sale and the balance to the interested taxing authorities in proportion to their taxes and claims against the property until such taxes and claims have been iliquidated and thereafter in proportion to their rate of tax levy within the city

If upon a resale by the city of any property purchased by it under this act either for a sum sufficient to pay all taxes and claims or for a lesser sum as provided by laws it should be deemed necessary by said city to conduct any court proceedings to perfect its tax title acquired at the treasurer's sale it shall be lawful for the said city to deduct the costs of said proceedings from the sale price before distribution of the balance and if the sale price or balance remaining is more than sufficient to pay all taxes and claims then the sum left after all taxes and municipal claims have been satisfied shall be distributed to the interested taxing authorities in proportion to their rate of tax levy upon real estate within the city at the time of resale

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 291, as follows:

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-five thousand dollars ($125,000) or as much thereof as may be necessary is hereby specifically appropriated to the State council for the Blind for the two fiscal years beginning June first one thousand nine hundred forty-five to be used for the improvement of the condition of the blind by supplying to the adult blind vocational training in such fields as are commensurate with their capacities which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain the required medical service for such training and placement and to meet expenses necessary and proper in the administration of this program

Section 2 The State Council for the Blind is hereby authorized to adopt suitable rules and regulations to facilitate the operation of this act and in furtherance of its objectives to accept any grants or contributions from the Federal Government or any agency thereof

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, we want to assure the majority that we are in favor of this bill, because it follows the philosophy of government that we subscribe to; it allows the state of Pennsylvania to accept federal grants, and I am glad you have had a change of heart since yesterday.

And the question recurring,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Hauska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 660 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 660, entitled:

An Act to add section thirty-one point one, to repeal in part section thirty-two and to amend section thirty-three of the act approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," further regulating the sale of real property for the nonpayment of tax and municipal claims where a city of the first class is the claimant providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale and eliminating the right of redemption after such sales.

and has appointed Messrs. ROOT, McCORMACK and CHUDOFF as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED, HOUSE BILL No. 660

The PRESIDENT. The President pro tempore appoints Messrs. KEPHART, FARRELL, and ROSENFELD as a committee of conference on the part of the Senate to confer with a similar committee of the House (previously appointed) to consider the difference existing between the two houses in relation to House Bill No. 660.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

CERTIFIED COPIES OF HOUSE BILL No. 754 PRESENTED TO SENATE

The Clerk of the House of Representatives being introduced, presented to the Senate additional certified copies of House Bill No. 754, in compliance with Senate Resolution as follows:

In the Senate, May 2, 1945.

Whereas, House Bill No. 754, Printer's No. 343, entitled:

An Act to reamend section two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), as amended the fifth day of June, one thousand nine hundred thirty-seven, entitled "Boiler Regulation Law," by further regulating the construction and maintenance of boilers, and extending the provisions of the act to certain boilers heretofore exempt therefrom; and repealing existing laws.

passed the House and was presented to the Senate for concurrence; and

Whereas, The official copies of said bill, certified by the House, have been lost after said bill passed First Reading in the Senate and was recommitted to the Committee of Labor and Industry; therefore be it

Resolved, That the Senate hereby requests the House of Representatives to certify additional copies of said bill to the Senate for its further action.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 419, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-three (Appropriation Acts page 45) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two" increasing the appropriation for the construction of certain bridges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the first day of June one thousand nine hundred forty-three (Appropriation Acts page 45) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two" is hereby amended to read as follows

Section 1 The sum of [one hundred seventy-seven thousand dollars ($177,000)] two hundred thirty-eight thousand two hundred seventy-one dollars ($238,271) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for the purpose of rebuilding bridges in Wayne County destroyed by flood as aforesaid The bridges which shall be rebuilt with refunds from such appropriation and the maximum amounts which may be expended for each of such bridges are as follows

Hawley Borough Bridge	[$70,000]	$96,098
East Honesdale Bridge	[40,000]	75,173
Honesdale Borough Bridge		30,000
Texas Township Bridge		20,000
Prompton Borough Bridge		17,000

Section 2 Section two of said act is hereby repealed and the agreements made pursuant to it are set aside

Section 3 The Commonwealth shall be responsible for all the moneys expended for the construction of said bridges and shall reimburse Wayne County for any sums said county may have paid to the Commonwealth for such construction

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 514, on third reading, entitled:

An Act to amend subsection (b) of section sixteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissoners registrars inspectors of registration and other appontees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" requiring registrars to sit in voting precincts upon the petition of a certain number of qualified electors thereof

go over in its order.

The PRESIDENT. Is there objection?

Mr. KLEIN. Mr. President and gentlemen of the Senate, I hoped last night, during the late hours of the session, that it would be unnecessary for me to take the floor of this Senate again during this session.

I am vitally interested in Senate Bill 514. While this bill may seem very unimportant I think it is perhaps one of the most important bills that has been presented to this Senate, and I think I would be a traitor to my cause if I failed to get up and voice my protest to having this bill go over in its order and eventually dying.

As I said last night, I do not like to get up on the floor of this Senate and consume valuable time, particularly during the closing hours of the session, but I would like to take a few moments of your time to tell you why I feel the way I do about this bill.

Some thirty-five years ago my father left the shores of Europe and came to this great country because he knew that America was a land of freedom and a land of opportunity. Some two years later it was my father's good fortune to have accumulated sufficient money to send to my mother so that she might bring my sister and I to this great land. America has been good to me and has been good to my family. We have resided in this great Commonwealth during the entire period of our residence in America As I travel across this great Commonwealth every week I admire its wonder, its beauty, and I am proud to be a citizen of the Commonwealth of Pennsylvania.

When I was elected to this distinguished body last November I was proud, proud in the knowledge that only thirty-three years ago I left the shores of that land, and the people of my district had elected me to this high office. I am proud of America, I am proud of the Commonwealth of Pennsylvania, and I am content to spend the rest of my days in this great state.

A few months ago my father called me to his home and said, "Son, I have many important documents; I have deeds to real estate which America has given to me, I have life insurance policies, I have bank accounts, but the most important paper I own is the paper I received from a federal court in 1916, my citizenship paper." And he said to me, "Son, because of that paper you today are an American citizen and have been since 1916."

Now, having been elected to this high office, I think I owe a duty to the people whom I represent; I owe to them a duty to represent them to the best of my ability. When I introduced this bill, as I stated yesterday, no politics entered into it, as it benefits Republicans and Democrats alike. My sole purpose was to make it easier for my neighbor, for my townsman, for my fellow Pennsylvanian, to make himself eligible to go to the polls—as my father has done for some thirty years, and as we do—so that he might cast his ballot for people of his own choosing.

I know, Mr. President and gentlemen of the Senate, that there is only one objection to this bill. That objection is that it might cost a little bit of money. I appreciate the position the municipalities, boroughs, towns and townships are taking, but I say if we can do anything to help these people who find it impossible, or extremely difficult, to register and make themselves eligible to vote, we ought to exert every effort to give these people an opportunity to be good citizens, to be good Americans. I know in the closing days of this session this bill will die.

My colleague and good friend, Senator Stiefel, said not long ago he must bow to the inevitable. Before I bow I want you gentlemen to know this bill is a just bill, it is a fair bill, it is a decent bill, because it gives to certain persons a right, an opportunity, it makes it easier for them to take their rightful place in the affairs of government, and when we have all of the people, or the great majority of the people of the Commonwealth of Pennsylvania, taking their rightful place in the affairs of government, then we need have no fears for the future of this Commonwealth, and when the people throughout the nation take their rightful place in the affairs of government, we need have no fears for the future of this great country.

Mr. COLEMAN. Mr President, if the request to have this bill go over one day did nothing else but give us the opportunity of hearing the genlemen from Beaver say a few words, expressing his reviews as honestly and sincerely as he possibly could, it did something for those of us who have been closely associated with him in the General Assembly of Pennsylvania.

I am sure I share the general belief that truth and honesty and candor run like golden threads through his whole make-up. Last night was the first time the gentleman from Beaver ever spoke on the floor of the Senate of Pennsylvania. This is the first bill introduced by the gentleman from Beaver that ever got on the Calendar in this Senate.

I have said on several occasions, Mr. President, that the General Assembly is a sort of a mirror, a kind of screen in which is reflected the entire life of the Commonwealth of Pennsylvania. Here you have every idea and every ideal in the great Commonwealth, represented in 258 members of this Legislature, and here is where those with conflicting opinions come to clash and in a peaceful, democratic way, settle their differences.

I imagine when the gentleman from Beaver sat in the Democratic Caucus and on the floor of the Senate, listening and learning and observing, and at times, I assume, suppressing an inclination to give expression to a thought, he must have been just a bit disappointed in the process of democracy as represented in the functioning of this General Assembly.

Back home in his particular district is a condition that he seeks to correct. The only bill he has had on the floor of the Senate of Pennsylvania, to take care of the situation back home, it looks to me, from the action of the majority party, as if his efforts are going to be in vain. I would be false to my real emotion if I did not say a word in behalf of this particular bill.

Senator Klein is a thoroughly decent gentleman, a supremely tolerant individual. He has sat in the Senate of Pennsylvania, voting for bills affecting Pittsburgh, affecting Philadelphia, and every other political sub-division, and I have a right to assume at times that perhaps he did not agree with the Democratic position, but as a loyal party man and as a follower of the late President Roosevelt, he suppressed his personal feelings and went along with the minority members in this Senate. I am going to ask my friends on the Democratic side and also ask the gentlemen on the other side of the Senate, if they will not let this bill be voted on tonight.

I am not too sure this bill has bad features. Under existing law one hundred voters can petition the Board of Registration Commissioners and ask them to fix a registration day All Senator Klein is asking for in this bill is to permit fifty electors to petition the registration commission to have a registration day in a particular precinct. I hope the sense of appreciation and the sense of loyalty and the great personal friendship we have for Senator Klein will assert itself, not only on the Democratic side, but on the Republican side, and that the Majority Leader will withdraw his request that this bill go over and have it acted upon tonight.

Mr. HEYBURN. Mr. President, at the outset let me say all of us on this side have deep personal regard for the gentleman from Beaver, Senator Klein. We have no desire to embarrass the Senator in moving that this bill go over in its order. I stand here representing the Republican caucus.

Mr. President, I submit to the gentleman that the bill is improperly drawn. On page 3, line 12, he talks about registrars sitting not later than thirty days. Mr. President, the law has been amended at this session of the Legislature, and now it is fifty days rather than thirty. And on page 23, where it states 45 days, that likewise should be fifty. The bill would have to be amended before it could be considered by the Senate, and I regret that it is necessary for me to again request that the bill go over in its order.

Mr. DiSILVESTRO. Mr President, may I interrogate my good colleague from Delaware?

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, am I right if I say that I smell a little bit of Machiavelism in this discussion—carrying water on both shoulders?

Mr. HEYBURN. I do not know, I think maybe he smells something; whether it is water on both shoulders or not I do not know.

Mr. DiSILVESTRO. I mean in the general discussion.

Mr. HEYBURN Yes, I understand.

Mr. DiSILVESTRO. Then I am right. I understand perfectly.

Mr. BARR. I desire to correct the Majority Leader. The Governor has not signed the bill for the fifty day registration. They just amended it yesterday in the House.

The PRESIDENT. Is there objection to Senate Bill 514 going over in its order? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreebaly to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 612, as follows:

An Act to repeal the act approved the first day of December one thousand nine hundred thirty-eight (P. L. 109) entitled "A supplement to the act approved the eighteenth day of March one thousand eight hundred and seventy-five (P. L. 30) entitled 'An act to authorize changes of venue in criminal cases' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of December one thousand nine hundrtd thirty-eight (P. L. 109) entitled "A supplement to the act approved the eighteenth day of March one thousand eight hundred and seventy-five (P. L. 30) entitled 'An act to authorize changes of vtnue in criminal cases' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Dent,	Jaspan,	Snowden,
Becker,	DiSilvestro,	Jones,	Stevenson,
Berger,	Ealy,	Klein,	Stiefel,
Blass,	Farrell,	Leader,	Tallman,
Bowers,	Geltz,	Letzler,	Taylor,
Carr,	Gourley,	Mallery,	Thomas,
Chapman,	Haluska,	Margie,	Troutman,
Coleman,	Heyburn,	McCreesh,	Wade,
Cox,	Holland,	McGinnis,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	

NAYS—2

Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to tht House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 614, as follows:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seveneenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance, exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) is hereby amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act Stock companies [heretofore organized] incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (P. L. 329) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. 317) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies reincorporated under the provisions of this act" or under the act of June twenty-fourth one thousand nine hundred thirty-nine (P. L. 686) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may issue policies" having a paid up capital of not less than three hundred thousand dollars ($300,000) and a paid-in surplus at least equal to fifty per centum of the subscribed capital may issue policies insuring the live of persons and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death

resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 638, as follows:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus of two million dollars And for reserves as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Domestic stock and mutual insurancce companies other than life may transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities on risks outside of the United States its territories and possessions provided that any such company shall maintain a minimum policyholders' surplus of two million dollars ($2,000,000.00)

Section 2 Domestic stock and mutual insurance companies other than life may accept any and all kinds of reinsurance other than life insurance and annuities provided that such company shall maintain a minimum policyholders' surplus as now required by law

Section 3 All companies doing business authorized by this act shall maintain reserves in the amounts and in the manner prescribed by sub-article (b) of article III of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789 as amended)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Ealy,	Letzler,	Thomas,
Berger,	Farrell,	Mallery,	Troutman,
Blass,	Geltz,	Scarlett,	Wade,
Bowers,	Heyburn,	Snowden,	Wagner,
Carr,	Homsher,	Stevenson,	Walker,
Chapman,	James,	Tallman,	Wilson,
Crider,	Jones,	Taylor,	Woodward,
Crowe,	Kephart,		

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 639, as follows:

An Act to amend section four of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waiving under certain conditions where no damages are payable vertical or lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right

of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" as last reenacted and amended by the act approved the third day of July one thousand nine hundred forty-one (P. L. 259) is hereby further amended to read as follows

Section 4 Except as hereinafter specifically provided by this act vertical and lateral support by underlying coal for any land easement or right of way purchased condemned or otherwise acquired by the Commonwealth is waived (1) (a) Whenever the State Mining Commission finds that the cost of restoring any possible subsidence or replacing any damage to structures or other improvements on such land easement or right of way is less than the amount payable for damages for coal required to be left in place in order to furnish such vertical or lateral support or (b) if no damages are payable by reason of the failure of the party or parties entitled thereto to institute proper proceedings to recover the same within the period prescribed by law whenever the owner or person entitled to remove the coal shall enter into an agreement to indemnify the Commonwealth for any damages or reimburse it for the replacement of any structure or other improvement which may be injured or destroyed by the removal of coal owned or adjacent to lands easements or right of ways owned by the Commonwealth and (2) Whenever the commission finds from the evidence before it that such waiver of support and the removal of coal will not result in loss of life or personal injury to persons properly using said land easement or right of way

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply to all cases now pending before any State Mining Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Klein,	Stevenson,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of al lthe Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 641, on third reading, entitled:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day fo May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a socalled spendthrift trust provision or similar provisions and providing for the execution delivery and recording of such release or disclaimer

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 671, as follows:

An Act to amend section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring milk dealers to give daily reports of milk delivered by milk producers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" is hereby amended to read as follows

Section 608 Payment for Milk Statement Milk dealers shall determine weight measure and butterfat content of milk as provided in this act or in rules regulations or orders of the commission pertaining thereto and consistent with this act Payment for milk shall be made either upon the basis of weight measure or butterfat content or any combination thereof as the rules regulations or orders of the commission may require

Milk dealers buying or receiving milk from producers shall furnish to each producer or his agent a written statement showing the amount of milk delivered daily during the period for which payment is made and unless the commission otherwise provides the average butterfat test of the milk delivered for such period Such statement shall set forth such information as may be required by the commission shall be furnished periodically at the time of payment prescribed by the commission and in no event less often than monthly Provided however That a written statement of weights [may] shall be given daily to the producer or his agent upon written request of a majority of the producers who deliver milk to any receiving station or plant receiving milk each receiving station or plant to be considered separately in lieu of such periodic statement of the amount of milk delivered unless the commission otherwise provides

It shall be unlawful to use as the basis of payment for milk any amount or percentage of butterfat therein which has been ascertained from a sample containing milk that has been so treated as to cause it to test lower or higher than the milk from which it was taken

It shall be unlawful for any person including any milk dealer to knowingly fraudulently or negligently weigh measure sample or test milk or cause milk to be weighed measured sampled or tested in such manner as to cause or tend to cause loss or injury to milk producers stores or milk consumers or to make any false or misleading statement with respect to the weight measurement sampling or testing of milk

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 692, as follows:

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" are hereby amended to read as follows

Section 2 Definitions The term "professional engineer" as used in this act shall mean a person who through technical knowledge gained by education or by experience in one or more branches of engineering including surveying initiates investigates plans and directs the control of the forces of and the utilization of the materials of nature and of human activities in connection therewith for the benefit of man and who represents himself or herself to be such a professional engineer either through the use of the term "professional engineer" with or without qualifying adjective or through the use of some other title implying that he or she is such a professional engineer

The term "surveyor" as used in this act shall mean any person engaged in that branch of engineering known

as "surveying" who makes surveys for the determination of area or for the establishment or reestablishment of land boundaries or the subdivision and platting of land who makes surveys for the establishment of lines or grades or elevations for carrying out engineering work including the preparation of plans or specifications for minor engineering work not involving safety to life and who determines quantities or who makes estimates for proposed work or for work under construction or work that is completed or who in addition to the foregoing makes estimates of quantities of mineral or minerals in place or that have been removed

The term "board" as used in this act shall mean the State Registration Board for Professional Engineers

The term "practice of engineering" shall mean the practice of civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying or any constituent part or parts of these or combinations thereof such as architectural engineering ceramic engineering industrial engineering metallurgical engineering petroleum and natural gas engineering sanitary engineering and structural engineering the pursuit of any of which affect life health or property or the public welfare Said practice also includes the doing of such architectural work as is incidental to the practice of engineering

The term "Responsible Charge" shall mean such degree of competence and accountability gained by technical education and experience of a grade and character as is sufficient to qualify an individual to personally and independently engage in and be entrusted with the work involved in the practice of engineering or surveying

Section 4 Certificates of Registration Qualifications of Applicant The board upon application on the form prescribed by it and upon the payment of a fee of twenty dollars and except as hereinafter provided shall issue a certificate of registration to the following persons to wit

(a) Any person who submits evidence that he or she is fully qualified to practice the profession of engineering in any of its branches including surveying or

(b) Any person submitting evidence satisfactory to the board who holds an unexpired certificate of registration issued to him or her by any proper authority in the District of Columbia or in any state or territory of the United States or in any province of the Dominion of Canada in which the requirements and qualifications for obtaining a certificate of registration to practice the profession of engineering in any of its branches including surveying are not lower than those specified in this act

Provided That no person shall be eligible for registration under this section who is not a citizen of the United States or of the Dominion of Canada or at least twenty-one years of age or who does not speak read or write the English language or is not of good character or repute or has not been actively engaged for at least the minimum number of years hereinafter specified in the practice of the profession of engineering in any of its branches including surveying of a character satisfactory to the board And provided That each year of teaching or of the study of engineering in a school or college satisfactory to the board shall be considered as equivalent to one year of active practice but the total number of years of study and teaching which may be credited to active practice shall not exceed four years nor shall the additional active practice in the profession of engineering be less than four years and

Provided further That the board shall register upon the payment of the renewal fee provided in this act and shall issue a registration card for the year one thousand nine hundred twenty-seven to each person surrendering to it an authentic registration card for one thousand nine twenty-seven or one thousand nine hundred twenty-six issued by the State Board for Registration of Professional Engineers and of Land Surveyors created by the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (P. L. 1131) entitled "An act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the Registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties" which act was declared unconstitutional by the Supreme Court of the Commonwealth of Pennsylvania

The board after an examination or receiving other evidence of qualification as provided in this act shall issue a certificate of registration stating that the registrant is qualified to practice as a professional engineer lor as a surveyorl the branch or branches of engineering including surveying which the results of an examination or other evidence of qualification as provided in this act qualifies the registrant to practice The said board shall cause to be impressed upon each certificate of registration issued under this act the seal of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 696, on third reading, entitled:

An Act directing the county commissioners of each county to prepare certify and deliver to the Department of Internal Affairs at stated intervals a certified list of all real estate conveyances or transfers within such county together with the consideration for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Internal Affairs for such lists and making an appropriation,

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 697, on third reading, entitled:

An Act requiring the consideration purchase price or other value of the interest conveyed to be set forth in all conveyances or other transfers of real estate or interests therein prohibiting the recorder of deeds from accepting for record instruments not setting forth such consideration and requiring the recorder of deeds to deliver a list of such transfers and the consideration therefor to the county commissioners,

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 716, as follows:

An Act to amend section eight of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1969) entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act" by providing that before a certificate of incorporation shall issue to an electric cooperative corporation the Pennsylvania Public Utility Commission shall find and determine certain facts and approve the articles of incorporation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1969) entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification providing for the organization consideration and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act" is hereby amended to read as follows

Section 8 Execution Filing and Recording of Articles of Incorporation (a) The original copy of the articles of incorporation shall be signed by the incorporators and acknowledged before any officer authorized by the laws of this Commonwealth to acknowledge the execution of deeds and conveyances It shall be filed in the office of the Department of State If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall [when the fees prescribed by this act have been paid] transmit the articles of incorporation to the Pennsylvania Public Utility Commission The Commission shall fix a time and place for a public hearing on the proposed articles of incorporation and shall give at least thirty days notice thereof to the incorporators and to other persons and corporations having an interest by United States mail or publication or both as the Commission may determine If after hearing the Commission shall find and determine from the evidence submitted that the issue of a certificate of incorporation to the incorporators is necessary and proper for the service accommodation convenience or safety of the public and is in the public interest it shall enter an order to that effect and shall endorse its approval on the certificate of incorporation and return the same to the Department of State if the Commission shall find otherwise it shall enter an order to that effect and shall return said articles without its approval From the decision of the Commission an appeal may be taken by any party interested to the Superior Court in the manner provided by the Public Utility Law approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053)

When a certificate of incorporation has been approved by the Pennsylvania Public Utility Commission and the fees prescribed by this act have been paid the Secretary of the Commonwealth shall

(1) Endorse on the original copy the word "Filed" and the month day year of the filing thereof

(2) File the original in his office

(3) Issue a certificate of incorporation to the incorporators

(b) The incorporators shall file for recording a certified copy of the articles of incorporation in the office of the recorder of deeds in the county in which the principal office of the corporation in this Commonwealth is located

Section 2 This act shall be construed to apply to applications for certificates of incorporation which have not been marked "filed" prior to the effective date of this act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President and members of the Senate, I wonder whether we realize to what extent this bill affects the farmer in the state of Pennsylvania. I wonder whether we realize the important part the farmer plays in our way of living. I further wonder whether we realize how hard he works, getting up in the early hours of the morning and working until the late hours of the night and enjoying very few, if any, comforts. For years he had been denied the right to have any electricity in his home, in his barn, and also on his farm, but finally the Legislature, in its wisdom in 1937, saw fit to pass a rural electrification act. Prior to the passage of this particular act thousands upon thousands of farms in Pennsylvania were not electrified.

Since 1937 electrification of farms has become a reality, and the social and economic advantages of low electric rates have been placed within the reach of our farmers. The purpose of the rural electrification act is to furnish electricity to farms at low rates, where it was not previously furnished, and what is more, where the utilities refused to furnish it excepting at exorbitant rates.

Let me give you an idea of how many farms have been electrified since 1937. The number of farms receiving electricity increased from 45,000 on December 31, 1934, to 112,800 on June 30, 1944. Generally the provisions of the rural electrification act were taken advantage of in virgin territory. The law is rather specific on this point. I now read from section 3, paragraph 1, statutes of 1937, P. L. 1969, as follows:

"The furnishing of electric energy to persons in rural

areas who are not receiving central station service."

In other words, the purpose is that non-profit cooperative corporations may be organized under this act for the purpose of engaging in rural electrification by any one or more of the following methods, and this particular section, paragraph 1, says, "The furnishing of electrical energy to persons in rural areas who are not receiving central station service." It was practically impossible to get it any other way. Hence the need for formation of rural electrification cooperatives, which, among other things could, under section 4, not only purchase but acquire electricity or if necessary erect and construct plants to produce the electricity.

Immediately the private utilities thought it wise to extend their lines to sell their energy to the cooperatives, at low rates and at a profit to themselves. Prior to passage of this act the utilities refused to extend their lines to help the farmers, but when they realized the possibility that the cooperatives, non-profit organizations —not profit organizations—might generate and manufacture electric energy, they came down to earth and immediately commenced negotiations with the cooperatives to sell electric energy to them—mind you, only in virgin territory, eliminating the possibility of competition. Accordingly the cooperatives purchased millions of kilowatt hours of electrcity from the private utilities.

But, let me say, the plan was not without its headaches. The private utilities at first cooperated, extended their lines and entrenched themselves, but as soon as the complexion of the Public Utility Commission changed, they threw obstacles in the way of the cooperatives, particuarly with respect to the rates.

Undaunted, and fighting against odds and especially unfriendly commissions, they continued to purchase electric energy without any thought of erecting and constructing their own generating plants. However, in many instances matters reached such a pass that it was impossible to purchase electric energy excepting at exorbitant rates, and hence the cooperatvies decided to take advantage of section 4, paragraph 4 of the act, wherein it gives them permission to generate and manufacture electricity, and, the utilities sensing this, I dare say caused the present bill before us to be introduced.

What does Senate Bill 716 do? By its purposes and provisions Senate Bill 716 represents a continuation of the campaign of Pennsylvania power companies to deprive more than 150,000 Pennsylvania families, living in the rural areas without electricity, of the opportunity to obtain electric service for themselves through their own cooperative efforts. The power companies, which are vigorously pressing for the enactment of this bill, are attempting in this session of the Legislature to do what they tried and failed to do in the sessions of 1939, 1941 and 1943—cut off further extension of electricity through the cooperative plan provided by the electric cooperative act enacted in the 1937 session.

Senate Bill 716, the very bill before us, if enacted, would amend the act to require that the articles of incorporation of electric cooperatives be passed upon by the Public Utility Commission, after a public hearing, to determine whether or not the issuance of a certificate of incorporation is necessary and proper for the service, accomodation, convenience and safety of the public and is in the public interest. The same proceedure would apply to amendments to articles of existing corporations.

Provision is also made, Mr. President, for appeals to the courts from actions of the commission. In effect, this provision, if enacted, would give the Public Utility Commission a veto power over the extension of cooperative electricity into the rural areas of this Commonwealth. The present law, Mr. President, specifically exempts electric cooperatives from Public Utility Commission jurisdiction.

Section 32 of the Act of 1937 provides that all corporations organized under this act shall be exempt in any and all respects from the jurisdiction and control of the Public Utility Commission of the Commonwealth. Enactment of this bill would substantially repeal section 32.

The farming people of Pennsylvania have not received sympathetic consideration from the present commission in their cooperative attempts to electrify their farms and homes. Past experience of the cooperatives warrants the statement that enactment of Senate Bill 716 would very definitely be to the serious disadvantage of the unelectrified farms and homes in the rural areas of this Commonwealth. The cooperatives have demonstrated their ability to serve their members—they have it since 1937—to the best interests of the Commonwealth under the existing law. It should not be changed. Further, cooperatives are not public utilities.

I say this bill, Mr. President, is against public interest. Past experience demontsrates that proceedings before the Public Utility Commission and the courts entail delay and expense and afford the power companies the opportunity, which they have not in the past overlooked, of engaging in obstructive and dilatory techniques. Enactment of Senate Bill 716 will serve only to promote the program of the selfish power companies, by not permitting further extension of electric service in rural areas by any persons or enterprises other than power companies. Senate Bill 716 is definitely against the public interest, which requires that no obstacle be placed in the path of universal electrification of Pennsylvania farms and farm houses.

Past legislative policy favoring cooperative rural electrification is most forcefully evidenced by House Resolution No. 21, adopted on February 17, 1941, by our House, by a vote of 204 to nothing, with not one dissenting vote by either Republicans or Democrats. I realize this is not a partisan measure; it is strictly non-partisan, because it helps everybody.

This particular resolution read, in part, as follows:

"Resolved, That this House of Representatives this day assembled at Harrisburg, Pennsylvania, hereby renews its pledge of coperation with the farmers of the State of Pennsylvania in an effort to secure for them an extension of rural electrification; and be it further

"Resolved, That the House of Representatives hereby pledges to resist and to defeat any attempt to destroy or minimize the benefits of the Rural Electrification Act of the 1937 Session."

Mr. President, under the present bill, if enacted, what can the cooperatives expect from the present Commission? Apparently the same help that today is being given to the municipal authorities. Three applications have been filed by municipal authorities with the present Public Utility Commission. One of them was accepted after eighteen months of delay, the other two applications were refused. I need not repeat, very little can be expected by

the authorities

Let us go further. This same Commission rendered a very outlandish decision in the Pennsylvania Power and Light Company matter. Is it not strange that only a few weeks ago this very same body passed two bills exempting certain companies from the provisions of the Public Utility law, namely, those engaged in the transportation of wood, charcoal and pulp wood. I wonder why on the one hand, we are relieving the Public Utility Commission from jurisdiction over these companies, and, on the other hand, asking them to take control over authorities and also cooperatives. I wonder whether these companies whose bills we favor are more important to us than the farmers. I do not think so personally, and there are many here who do not think so. Yes, the power trust is at work. It has the most powerful lobby in the United States. The group that was responsible for the defeat of Aubrey V. illiams, the well known liberal, is now working feverishly through their chiefs and presidents, and Mr. Wise and Mr. A. Miller, to bring about the pasage of this bill.

Recently an article appeared in one of our Philadelphia newspapers condemning the effort of the power trust to head off future progress of rural cooperatives. It has been argued, Mr. President, by the proponents of this bill, that the cooperatives are in competition with the utilities. Nothing is further from the truth. The cooperatives can only organize and obtain the benfits of the Act of 1937 in virgin territory and not where utility service is now being rendered. It has also been contended that the cooperatives are tax exempt. Quite correct But they are non-profit organizations, whereas the private utilities are profit organizations.

Let me go one step further on that particular point. Power companies in conducting a campaign for enactment of Senate Bill 716, are agitating tax exemption. Read Senate Bill 716 and you will find it has nothing to do with taxes; it is a lot of camouflage and excuses and simply throwing a red herring across the trail.

Mr. President, this bill marks a deliberate attempt to prevent the further growth of the coperatives and, further, to force those in existence to pay exorbitant rates. More important, it eliminates whatever means the cooperative will have to force low rates and satisfactory service through the building and constructing of generating plants.

Mr. President, I say in conclusion, the very conduct of the utilities, arrogant and dictatorial in their methods and conduct, provoked the attempt of the cooperatives to build their own generating plants. If they had been reasonable with them, sat down at the table and negotiated for fair rates and low rates, there would not be any need for this bill. However, the utilities, realizing they have a frientdly Commission, decided to charge exhorbitant rates. Hence, rather than go out of business, the cooperative decided to take advantage of the present law and build their own generating plants. I say again the utilities forced the issue.

My friends, I say both parties, both Republicans and Democrats, promised the farmers much, their platform and ours. Have we done as much as we promised? We now stand ready, through this bill, to strip them of the few benefits inuring to them as the result of the rural electrification act of 1937.

Gentlemen, let us not play fast and loose with the farmer. Let him enjoy the benefits that we gave him under the Act of 1937; let him continue with those benefits and not strip him of them.

Mr. DENT. Mr. President, I am afraid if we do not make any more progress in the next three hours than we have made in the past three, we are going to be here a mighty long week. However, we can not let this type of legislation pass without calling attention to the dangers inherent therein.

In 1937, when the first rural electrification bill was passed by the Earle administration, out of 112,000 farms in Pennsylvania, twenty-five per cent were electrified. Today better than fifty-five per cent of the farms in Pennsylvania have electrical services. Since the passage of the first bill there have been thirteen cooperatives formed which served 57,000 Pennsylvania farm. Does anybody in this Senate believe that the high food production during this critical war period would have been possible without electrification on the farms of Pennsylvania? Any person who was born on a farm, or ever visited a farm, or was raised on a farm, knows the difference between farm life of yesterday and farm life of today. The mass milk production now possible, the egg production, the poultry production, is only made possible by the formation of the cooperatives that serve the rural areas. This bill will definitely, in my honest opinion, stop further electrification of the rural areas in Pennsylvania.

Saturday the Senate Committee on Agriculture, of the United States Senate, approved a six hundred million dollar appropriation for rural electrification. Six million dollars of that sum is earmarked for the use of Pennsylvania rural electrification cooperatives. We tonight, the members of this Senate, have within our power the pasage or the defeat of this bill. The defeat of this bill means that six million dollars will be made available for Pennsylvania dirt farmers so that they, too, can enjoy the comforts, the conveniences and the use of electrical services.

Everybody knows that during this war period 18,000 service connections have been made in rural areas; of the 18,000 service connections for electrical service, 13,000 are serviced by cooperative and 5,000 by private utilities.

Prior to 1937 the only farms serviced with electrical services were serviced by public utilities, or private utilities, but anybody knows they were only the farms adjacent to large urban districts or urban centers of population. The dirt farmer residing away from the main road still lived under the conditions that his ancesters lived under He may have had a good road, but he did not have the services so essential to good farming and good living. He still pumped his water by hand or went out to a spring. Today his water is piped into his home, and electrical services give him the conveniences that we city dwellers enjoy. He keeps his food cold in an electrical refrigerator, he uses electricity to run his combines, he uses electricity to run his farm machinery, he uses electricity in his barns to milk his cattle. I say to you that you are denying the man that produces the food that keeps this nation strong and healthy, you are denying him services that he will not get from the public utilities. I say to you that the utilities are well protected. Cooperatives can not go into a competitive area and they can not go into an area serviced in 1939, mind you, when the amendments

were passed that eliminated the possibilities of a cooperative being formed wherever an existing line was put up. The many thousands of farmers in Pennsylvania were denied the services that they would have enjoyed if we had not passed the amendments in 1939, because everybodv knows that miles upon miles of spite lines were erected by private utilities to keep the coperative from being formed.

I know there are approximately a hundred thousand families affected by the passage of this bill. Any person who has ever worked on a farm, or who has ever even visited a farm, can not help but vote against this bill, because it denies the farmer the comforts, conveniences and utilities that he is justly entitled to.

Mr. MALLERY. Mr. President, I want to comment only briefly on this bill, but I would certainly be most remiss to my many constituents in rural Blair county and Huntingdon county if I were to be silent at this time.

As has been stated, the rural coperatives can not now, since 1939, go into territory which has been preempted. The cooperatives are in existence simply because of the fact that the utilities did not care to go into these rural sections of the state.

In Blair county we have hundred of farm homes, and the buildings there are now lighted and it is no longer necessary to have the oil lamp or the oil lantern. Aside from that, the farmer now can use power for turning the cream separator, the churn, grinding his feed, and in doing many things that saves the farmer labor

This is a most important bill to the farmers. It is only in effect where the utilities have elected not to go. The utilities that service Blair county and Huntingdon county, so far as I know, are not advocating enactment of this bill.

By reason of the fact that the present bill is doing so much good for my farm constituents, I propose to vote no on this bill.

Mr. McGINNIS. Mr. President, I want to announce to the Senate tonight that I have been in the Senate for eleven years, and I want to say to the members of this Senate this is the most vicious and most insidious bill that has ever been offered on the floor of this Senate since I have been here in eleven years.

I know what greed is and avarice. I know what the utility power companies in Pennsylvania have done in the past. They have wrecked good men on the Public Utility Commission.

Today we have a Utility Commission that I am fearful that the power companies have got their fingers on them. How could anybody object to allowing farmers to form a cooperative and build their own lines, and, if necessary, furnish their own electricity without any competition with the power company in Easton or Philadelphia or Pittsburgh or any place else. They are not allowed to compete. They must go into virgin territory and go out to the farmer that has an oil lamp in his home. How it could hurt the utilities I do not know, except this, they are hoggish, avaricious and want to hold back, hoping that sometime, twenty-five or fifty years from now, they might build their lines in there, if they have enough people to make it pay. But why would they object to the farmers themselves building their own lines, not for profit, with the help of the federal government?

That is another reason I am proud of my government at Washington, because it is concerned about people back in the backwoods and back on the farms, which do not have these advantages that other people have. Why this Legislature or why the power companies would ever dream to interefere with that program, I can not understand

All these cooperatives bought their power from power companies that are governed by the Utility Commission. But they got greedy and they wanted to put them out of business and they kept their rates at an exorbitant price. There was one cooperative, however, that said "we will build one of our own; we will build a little generating plant down in our section of the woods and generate our own power," and then the power company cut their rate right in two. The powers that be. the utilities, said, "here, let us stop that kind of thing in Pennsylvania; let us stop forever these cooperatives from building generating plants in Pennsylvania unless they buy their power from us," and so they put this bill in here.

The sole purpose is that no cooperative can ever build a generating plant of their own in competition with the power companies, in any territory where they are, but only in their farm communities. But in their farming communities, they would have the right to build their own plant, pay for it, serve their farming districts with no profit, no money made, no taxes, and they feel they have that right, but the power companies said, "no, let us put this bill in the Pennsylvania Legislature and block, these cooperatives from building their own plants." And so, if the power companies have their fingers on the Utility Commission of Pennsylvania, or are so influential that they control it, they can drive every cooperative out of business in Pennsylvania, because they must buy their power today from the utility companies that are working under the Public Utility Commission.

What could be wrong with farmers building their own generating plant and making their own electricity, when there is no profit in it, no money to anybody? And yet greed has raised its ugly head in this situation and is trying to use this Legislature to work the Public Utility Commission to stop these poor farmers out in the back woods from getting some light and getting some power, with the help of the federal government.

Mr. President, as I said at the beginning, to me this is a vilest and most insidious bill that was ever offered on this floor. I can understand how people can be greedy. I can understand where there is competition they might come to this Legislature and ask for legislation, and I would not blame them if they were in competition, but why should the power companies of Pennsylvania try to stop these rural farmers from building their own lines, if they want to make their own electricity, and not one bit of that electricity will go to compete with any power company in Pennsylvania today.

Gentlemen, I ask you to vote this bill down because it is wrong.

The PRESIDING OFFICER (John M. Walker) in the Chair.

Mr. WILSON. Mr. President and members of the Senate, it is not often that I speak before this body because I do not like to take up its time, but for fear my vote will be misunderstood and to forestay anybody who might point the finger of scorn at me and say I am voting

with the other side, I want to tell you what has happened to me.

For fifty years I have lived in my county and I believe I have the respect of my neighbors and of both parties up there. If I did not, I would not have been returned as often as I have, to the House of Representatives, beginning with 1899, and then being promoted up to this body.

Anybody who says that this is a political measure and that the New Deal are back of it and that they made it possible for the farmers to do so and so, and there have been many such claims, is in error. For the first time in all of my experience, in the years that have passed by, a committee of the most estimable gentlemen from my district, both Indiana and Jefferson counties, came clear down to visit with me personally, not to ask me to vote for the bill nor vote against the bill, but to give me information concerning the bill because I asked for it.

I have tried at this session to get both sides to listen on certain questions on which I felt I was competent to advise. I will leave it to the public, I will leave it to the press, I will leave it to the administration, I will leave it to the members on either side as to whether I have conducted myself on these questions in a fair or honorable manner. I leave it to you as to whether the finger of scorn should be pointed at me by any gentleman saying I am voting with the New Deal, when I happen to agree with some of the things they have done and some of the things they say. I believe in the past I have been competent to tell them when they were not doing the right thing and not saying the right thing. Certainly I do not approve, when they stand here and take up hour after hour upon technical questions and keep those of us who have come miles and miles to serve and never missed a session up to the present moment, until a few minutes ago, when I missed a vote because it was not quite possible for me to be in here to vote. I am not a dodger. I tell you at the caucus, I tell you on the floor of the Senate, whether you like it or not. You have made some errors, and more grave errors have been made on the Democratic side, if you please, and if you want me to tell you, I will tell you what they are. And there have been some grave errors made on the other side, and if you want me to tell you, I will tell you what they are.

Again I say to you, if you indulge in this practice you indulged in last night and Monday night, bringing us in here to serve until two o'clock in the morning, until four o'clock in the morning, just to prevent people from reading bills, then I am again going to do what I am doing now; I am going to get on my feet and talk. And it is barely possible that you will know that I have been on my feet when I get done, because I have looked you all up and it is time for me to say just these words.

I want you to understand that I am going to vote against this bill in spite of the fact that from all over the state, from Philadelphia, from Pittsburgh, from various directions, they are explaining to me why I should vote on the other side. I went home to get the information on this subject, because it is impossible here to keep track of everything that is going on. This committee of the finest gentlemen in my whole district came down to give me merely information. It is reduced to the nicest kind of writing and it is not a request to vote this way or that way—you have asked this question and we give you the information.

I deeply regret that a good bit of this information has been given by the other side. If I must say so, it has been given by a man with whom I do not always agree, but it is barely possible he got much of this information from the same source or in the same way of getting it that I got it. Maybe he asked people to find out how it is, and maybe he found out how it is, and because he happens to be a Democrat, the fact that he has the truth makes me feel on an equal with him. I really do feel equal with him upon this occasion.

I want to say to you again that no man in my entire district has asked me to vote for this bill no man has asked me to vote against this bill. The press, if you please, has been saying, when I have made certain statements on the floor of this Senate, that I am representing the coal interests of Pennsylvania when I make those statements. I want to say, for the benefit of the press, that the coal interests of this state have employed me and I have always told the people of Pennsylvania and I have always told the press the truth. The people of my district, the bituminous coal operators, hire me to tell them what to do. They do not hire me to come in here to be told by them what to do. I do hope the Philadelphia Inquirer will take that home, and have it sent from the floor of this Senate.

I do hope the people who run both parties will, in their caucuses and by their leaders, at least extend the courtesy to me, when I ask them as a personal favor, to hear the arguments on a certain side of a bill, and then I am not permitted, and that goes from the top clear down to the bottom. I want it understood that I have put up with all I want to put up with, from both sides of this Senate, and I want it understood that I have come back here year after year, not because I asked the people to vote for me, because I was nominated without opposition and I was elected in my district without asking a voter to vote for me at the general election.

What I am trying to tell you is this, that you take hours upon hours upon things that should never be here, and that you are trying to fight out a battle for United States Senator, and you have your orders to end your session at a certain time for some reason.

What I want to know is why, when you make an agreement on certain things, you do not keep it—and that applies to both sides. Think of man who endangers his life, like Senator Edmonds, coming here as he does to be a devoted citizen, and a diligent member of the Senate, to be treated in the manner in which he was treated at different times, by making it ncessary to serve here until four o'clock in the morning. Think of that. Can we not arrange these matters in some other way? And then to think of the arguments that take place. I am asking you, as a member of this Senate, do you think I am not justified in rising to my feet and telling you, just as I am telling you now? I am asking you if there is a single Senator in this Senate that has not been warned, and I am telling you what is going to happen from now on until the end of the session, and I am here to stay, I hope, until the end of the session.

What I want to say to you is that I have just taken a few of the little points that have been given to me by splendid counsel, by splendid business men, and I have a list of them if you want to know who they are. There

are a few little reasons that were given to me, and I want to say to you, until I got the answers to these questions, I really was importuned and thought the bill was all right, because no man alive can analyze all of these things. I claim to know something about a few things and I claim to know something about legislative affairs.

These are the reasons I am going to vote against this bill:

Senate Bill 716 would give the Public Utility Commission the power to veto the extension of cooperative electric srevice in rural areas of the Commonwealth. I want to comment on that. If it gives them power to veto extension of cooperative electric service into the rural areas of the Commonwealth, does that not affect the people who are not already being supplied but wish to be supplied with electricity in some manner, at a reasonable rate and without unnecessary delay?

The general law has worked effectively and has brought electric service to more than thirty thousand Pennsylvania farm homes. I am asking you, on the Democratic side and on the Republican side, is that a true statement or not a true statement? Why, of course it is. The material has gone over on the other side and the material is being used on the other side. For what purpose? Political purposes. By saying, "look, you people from the districts that are rural, what we have said and what we stand for, and we want you to vote for us instead of continuing to vote as you have."

Under the present law the farmer cooperatives are not subject to Public Utility Commission control. They should not be made subject to such control, as they are not public utilities. I again say this to you: is that true? If they are not public utilities, why are public utilities, on both sides, or on the outside or on the edges or anywhere here, asking us about it and importuning us to vote for this bill, and really why was this bill put in here?

Past experience of farmer cooperatives is that Public Utility Commission proceedings cause unnecessary delay and expense to the farmer. Is that a true statement or not a true statement? I want to repeat that. The past experience of farmer cooperatives is that Public Utility Commission proceedings cause unnecessary delay and expense to the farmer. If that be true, and I am asking you to answer it before you vote, and I am not asking you to vote one way or the other; I am giving you the same privilege I demand for myself, to vote as you want to vote, and I do not care; but I am merely explaining why I am voting "no" on this bill. I believe their statements because they came to me from unimpeachable sources.

Cooperatives do not and can not, under present law, seek to serve consumers who are being served by the power companies. They do not compete. I am asking you: is that a true statement or not? If they do not compete, then why, if it be true, I ask the question, are the power companies here with this Senate Bill 716. I wonder why they are. Am I wrong in asking these questions here? If I am wrong in quoting—and I will give you the list of names but that is not necessary in quoting from the little memorandum that was handed to me by my splendid citizens from my district—I want you to tell me so on the floor of this Senate.

Senate Bill 716 would deprive thousands upon thousands of Pennsylvania rural families of the opportunity to make use of the electric cooperative act, to obtain electricity for themselves. I am asking you: is that a true statement or not a true statement? Why is it necessary to have things of this kind happen in the Legislature of Pennsylvania? I am asking you, why is it necessary for the House to differ from us in a business way on many questions? Why is it necessary for us to be here under conditions where we are in too great a hurry to be able to read the bills?

From now on, I want to serve notice on both sides, and particularly on the press, that from now to the end of this session I am apt to take up some time. You may listen or not, just as you want to, and you may misinterpret silence and you may misinterpret words, just as it suits you, but I want you to still take it that so far as my service from a citizenship point of view is concerned, I am paid to tell other people and other people do not pay me to tell me. See? Thank you.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODRING. I am sure it is not necessary to so request but I would like the roll to be called slowly and that only those answering be recorded.

(During the calling of the roll the following occurred:)

Mr. JASPAN. Mr. President, I ask that the roll be verified.

The PRESIDING OFFICER. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Becker,	DiSilvestro,	Margie,	Stiefel,
Berger,	Farrell,	McCreesh,	Tallman,
Blass,	Heyburn,	Rosenfeld,	Taylor,
Bowers,	Homsher,	Ruth,	Troutman,
Carr,	James,	Scarlett,	Wade,
Chapman,	Jones,	Snowden,	Wagner,
Crowe,	Letzler,	Stevenson,	Woodward,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr,	Ealy,	Jaspan,	McGinnis,
Coleman,	Geltz,	Kephart,	Thomas,
Cox,	Gourley,	Klein,	Wilson,
Crider,	Haluska,	Leader,	Woodring,
Dent,	Holland,	Mallery,	Walker, Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,	DiSilvestro,	Margie,	Stiefel,
Berger,	Farrell,	McCreesh,	Tallman,
Blass,	Heyburn,	Rosenfeld,	Taylor,

Bowers,	Homsher,	Ruth,	Troutman,
Carr,	James,	Scarlett,	Wade,
Chapman,	Jones,	Snowden,	Wagner,
Crowe,	Letzler,	Stevenson,	Woodward,

NAYS—20

Barr,	Ealy,	Jaspan,	McGinnis,
Coleman,	Geltz,	Kephart,	Thomas,
Cox,	Gourley,	Klein,	Wilson,
Crider,	Haluska,	Leader,	Woodring,
Dent,	Holland,	Mallery,	Walker, Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 751, on third reading, entitled:

An Act permitting superintendents physicians and psychiatrists of State-owned mental hospitals to certify the hospital records as to the condition of mental patients in lieu of attendance in person before any court or commissioner in civil proceedings relating to such mental patients and making such records admissible in evidence.

be recommitted to the Committee on Judiciary Special.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on Agriculture, reported as committed, House Bill No. 870, entitled:

An Act to further amend section fifteen, and to add section fifteen and one-tenth to, the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of livestock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Ariculture; providing for the enumeration of dogs by assesors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to livestock, poultry, and game birds by dogs, and for livestock killed by, or dying from rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," authorizing county treasurers to retain certain moneys collected under said act, and the payment thereof to certain societies for the prevention of cruelty to animals under supervision of the courts of common pleas.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1235, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 276, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical Commission, to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania, in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 288, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, and the farm where he was born; and to provide for the control, management, supervision, improvement, preservation and maintenance thereof; and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 94, entitled:

An Act making an appropriatoin to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement development and maintenance of the plot of ground in the city of Erie Pennsylvania acquired for the location of the Flagship Niagara.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the

Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five.

Mr. FARRELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FARRELL, from the Committee on Elections reported as committed, House Bill No. 63, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating the necessity of proclaiming the names of persons elected to certain offices.

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. THOMAS, from the Committee on Labor and Industry, reported as committed, House Bill No. 754, entitled:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act.

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 1011, entitled:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2687) entitled "An act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect office buildings and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease" removing the authorization to contract for the erection of buildings.

He also, from the Committee on State Government, reported as committed, House Bill No. 1089, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for one hour.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, as follows:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by empowering institution districts to receive and maintain chronic mental patients confined in State mental hospitals or other institutions and providing for the reimbursement by the Department of Welfare for the cost of maintaining such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the laws relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 401 Powers and Duties as to Care of Dependents and Children The local authorities shall have the power and it shall be their duty with funds of the institution

district or of the city according to rules regulations and standards established by the State Department of Welfare

(a) To care for any dependent having a settlement in the county or city who is not otherwise cared for

(b) To contract with other local authorities for the care of any such dependent

(c) To contract with any association in Pennsylvania organized to provide a home or employment for deaf and dumb or blind persons having a settlement in the county or city or to care for any dependent having a settlement in the county or city who is deaf and dumb or blind or to help him through employment

(d) To contribute moneys to the county to pay all or part of the county cost of maintaining children in foster homes and in institutions and homes for children

(e) To pay the cost or part of the cost of the care and maintenance of mental and other patients confined in institutions State mental hospitals and other State institutions in the same manner and to the same extent as provided by law in the case of poor districts and to assume the obligations imposed by law on poor districts in respect to such care and maintenance In like manner the Commonwealth shall be liable to institution districts maintaining institutions for mental patients for payment of part of the cost of the care and maintenance of such mental patients in the same manner as provided by law in respect to the liability of the Commonwealth to poor districts

(f) [To take any other action authorized or required by law] To receive when licensed by the Department of Welfare so to do and to care for and maintain chronic mental patients confined in State mental hospitals or other institutions whether or not such persons are dependents The Department of Welfare shall reimburse such institution districts for the care and maintenance of such persons from funds appropriated to the department for that purpose Such reimbursement shall be computed monthly on the basis of the average per capita cost per patient for maintenance of mental patients in all State-owned and operated hospitals during the month for which reimbursement is made

(g) To take any other action authorized or required by law

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Ealy,	Letzler,	Troutman,
Berger,	Farrell,	Mallery,	Wade,
Blass,	Geltz,	Scarlett,	Wagner,
Bowers,	Heyburn,	Snowden,	Wilson,
Carr,	Homsher,	Stevenson,	Woodward,
Chapman,	James,	Tallman,	Walker,
Crider,	Jones,	Taylor,	Presiding Officer
Crowe,	Kephart,	Thomas,	

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margle,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 755, as follows:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 536 In all school districts of the second third and fourth class in this Commonwealth the fiscal year shall begin on the first Monday of July each year Provided That by resolution of the board of school directors of any school district of the second class adopted by a two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting and upon approval of the Superintendent of Public Instruction the fiscal year of such school district may be fixed so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margle,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Wilson,
Crider,	James,	Ruth,	Woodring,
Crowe,	Jaspan,	Scarlett,	Woodward,
Dent,	Jones,	Snowden,	Walker,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 762, as follows:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen six hundred nineteen and six hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by making provision for the erection construction maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seventeen of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 400) is hereby further amended to read as follows

Section 617 Contagious Disease Hospital or Building Wing or Unit Whenever in the opinion of the board of commissioners of any county or the boards of commissioners of two or more counties a hospital for the care and treatment of contagious diseases appears to be necessary or advisable the board of commissioners of the county or the boards of commissioners of two or more counties jointly may either [locate] erect construct and equip such a hospital on the grounds of the county [poor-farm] institution district of any of the counties joining or may purchase a suitable [location] site for such purpose in some other locality. In lieu of erecting and constructing a separate contagious disease hospital the board of commissioners of a county or the boards of commissioners of two or more counties jointly may enter into an agreement with a general non-sectarian nonprofit hospital or hospitals within the county or within any of such counties or any adjoining county and may appropriate county moneys to such hospital or hospitals for the erection construction and equipment of a building or wing or unit for the care isolation and treatment of contagious disease cases In any such contagious disease hospital or building wing or unit provision shall be made for the care and treatment of indigent persons and of persons who are able to pay for their care and treatment in whole or in part

The county commissioners may in like manner join in establishing maintaining equipping and operating a contagious disease hospital with any municipality within the county

Section 2 Sections six hundred eighteen six hundred nineteen and six hundred twenty of said act are hereby amended to read as follows

Section 618 Plans and Specifications Approval Construction Plans and specifications [may be prepared] for [such] any county or joint county hospital or building wing or unit at a general hospital shall be prepared by the board or boards of commissioners or at their instance or by the general hospital with which an agreement has been made as the case may be which plans and specifications must be submitted to the Secretary of Health of the Commonwealth The cost of the preparation of such plans shall be paid by the county or counties so joining Upon the approval of said plans and specifications by the Secretary of Health of the Commonwealth [the said] any county or joint county contagious disease hospital may be constructed and equipped in the same manner that any other county buildings are constructed and equipped and in the case of a building wing or unit at a general hospital the same shall be constructed and equipped by the authorities in charge of the general hospital as may be provided in the agreement with the county or counties joining But in either event [The] the expense and cost of such erection construction and equipment and the cost of the site if any shall be paid by the board or boards of commissioners out of county funds

Section 619 Expenses of [Construction Equipment and] Maintenance Care and Treatment All expense incident to the [construction equipment and] maintenance of any such county or joint county contagious disease hospitals and of buildings wings and units at general hospitals shall be paid by the county or counties so joining as may be provided in any agreement out of county funds The county or counties so joining shall be liable for the cost of operating any such county or joint county contagious disease hsopital and each county shall separately be liable to pay the cost of the care and treatment of its indigent patients and those unable to pay the entire cost of care and treatment in such contagious disease hospitals and in buildings wings and units at general hospitals and for such purposes any county or the counties so joining shall have power to appropriate county funds

Section 620 [Conduct and Maintenance] Administration of County and Joint County Hospitals After any such county hospital is erected and equipped and ready for occupancy it shall be [conducted and maintained] operated by and under the authority of the [directors of the poor] county commissioners of the county in the same manner that [the county-home and other county poor-buildings] other county buildings and institutions are [conducted and maintained] operated and in the case of joint county hospitals the operation shall be in the manner provided in the agreement between the counties All county or joint county contagious disease hospitals heretofore erected and constructed shall hereafter be maintained and operated in the manner provided by this act

Section 3 Section six hundred twenty-one of said act as amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 400) is hereby further amended to read as follows

Section 621 County Agreements for Joint Contagious Disease Hospitals Buildings Wings and Units Whenever the county commissioners of two or more counties decide that a hospital or a building wing or unit at a general hospital for the care and treatment of contagious diseases is necessary they [may join in establishing such hospital either on the grounds of the county poor-farm of either county or on such other suitable location agreed on as may be purchased for the purpose subject however in all other respects to the conditions and limitations prescribed in this act The county commissioners may in like manner join in establishing a contagious disease hospital with any municipality within the county or with any established general hospital in the county or with the municipality and hospital]

[All] shall enter into an agreement for such purposes and therein provide how and in what proportions each county shall bear the expenses incident to the construction operation and maintenance of [any] the joint hospital building wing or unit for contagious diseases [shall be borne jointly by the parties in such proportions as may be agreed upon]

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,

Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Wilson,
Crider,	James,	Ruth,	Woodring,
Crowe,	Jaspan,	Scarlett,	Woodward,
Dent	Jones,	Snowden,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 769, as follows:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four and five of the act approved the sixth day of May one thousand nine hundred forty-two (P. L 101) entitled "An supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" are hereby amended to read as follows

Section 3 An employe who does not elect to pay into the School Employes' Retirement Fund during the period of his active military service an amount equal to his salary deductions may during the period of such active military service and for a further period of [forty (40) days] one (1) year after completion of such military service pay into the School Employes' Retirement Fund an amount which shall be equal to the salary deductions multiplied by the number of the semi-monthly periods during which he or she was absent from State employment or State service in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the employe and the board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

Section 4 An employe who complies with the provisions of section two or section three of this act shall after such election be classified by the board as an employe in active military service and shall thereafter during such active military service and for a period of [forty (40) days] one (1) year after the completion of such active military service be entitled to all benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such employe continued to be in the actual employ and service of the Commonwealth of Pennsylvania at the salary such employe had been receiving on the date of his or her entry into active military service [Provided however That such employe shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the Superintendent of Public Instruction shall certify such member as an employe with active military service

Section 5 An employe who does not file with the board an election to pay his salary deductions into the School Employes' Retirement Fund as provided in section two of this act shall be classified as a nonpayment member in active military service of the School Employes' Retirement Association until he shall return to the actual employ and service of the Commonwealth or until such member complies with section three of this act in the manner provided or for the period of such active military service and for [forty (40) days] one (1) year after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled on the date of entry into active military service under any law of the Commonwealth of Pennsylvania relating to the School Employes' Retirement Association and the School Employes' Retirement Fund [Provided however That such member shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the Superintendent of Public Instruction shall certify such member as an employe with active military service

Section 2 Section six seven eight nine and ten of said act are hereby repealed

Section 3 Clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) as added by the act approved the first day of August one thousand nine hundred forty-one (P. L. 708) is hereby repealed

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,

Cox,	Homsher,	Rosenfeld,	Wilson,
Crider,	James,	Ruth,	Woodring,
Crowe,	Jaspan,	Scarlett,	Woodward,
Dent.	Jones,	Snowden,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 771, as follows:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "soldier" as used in this act shall be construed to mean a person who served in the armed forces of the United States or in any women's organization officially connected therewith during any war in which the United States engaged and who has an honorable discharge from such service

Section 2 When any soldier shall take any civil service appointment or promotional examination for a public position under the Commonwealth or under any political subdivision thereof he shall be given credit in the manner hereinafter provided for the discipline and experience represented by his military training and for the loyalty and public spirit demonstrated by his service for the preservation of his country

Section 3 Whenever any soldier shall successfully pass a civil service appointment or promotional examination for a public position under the Commonwealth or any political subdivision thereof and shall thus establish that he possesses the qualifications required by law for appointment to or promotion in such public position such soldier's examination shall be marked or graded an additional ten points above the mark or grade credited for the examination and the total mark or grade thus obtained shall represent the final mark or grade of such soldier and shall determine his standing on any eligible or promotional list certified or furnished to the appointing or promoting power

Section 4 Whenever any soldier possesses the requisite qualifications and is eligible to appointment to or promotion in a public position where no such civil service examination is required the appointing power in making an appointment or promotion to a public position shall give preference to such soldier

Whenever any soldier possesses the requisite qualification and his name appears on any eligible or promotional list certified or furnished as the result of any such civil service examination the appointing or promoting power in making an appointment or promotion to a public position shall give preference to such soldier notwithstanding that his name does not stand highest on the eligible or promotional list

In making an appointment or promotion to public office where such a civil service examination is required the appointing or promotional power may give preference to any soldier who has passed the required examination for appointment or promotion to such position and possesses the requisite qualifications although his name does not appear on the eligible or promotional list certified or furnished to the appointing or promoting power

Section 5 The lack of academic or scholastic training or experience age loss of limb or other physical impairment which does not in fact incapacitate any such soldier shall not be deemed to disqualify him provided he possesses the other requisite qualifications to satisfactorily perform all of the duties which the position requires

Section 6 Whenever the Commonwealth issues specifications for the construction alteration or repair of any public works such specifications shall include a provision under which the contractors and subcontractors shall agree to give a preferential rating similar to that given by this Commonwealth as herein provided to any soldier making application for employment upon such public works

Section 7 The same preferential rating given to soldiers under the provisions of this act shall be extended to include the widows and wives of disabled soldiers

Section 8 This act shall be construed as being the exclusive law applying to the Commonwealth and its political subdivisions in giving preference to soldiers in appointment or promotion to public position or on public works

Section 9 The act approved the twelfth day of April one thousand nine hundred thirty-nine (P. L. 27) entitled "An act to amend the title and the act approved the nineteenth day of May one thousand eight hundred and eighty-seven (P. L. 132) entitled 'An act to give preference of appointment or employment to honorably discharged soldiers sailors and marines who fought for the Union cause in the late war of the rebellion' by extending the same preference to veterans and nurses of any war in which the United States has engaged" and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1198) entitled "An act providing for and requiring in certain cases preference in appointments to public position for honorably discharged persons who served in the military or naval service during any war in which the United States was engaged" and the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 872) entitled "An act providing for and requiring in certain cases preference in appointments to public position for honorably discharged persons who served in the military or naval service during any war in which the United States was engaged" and all other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Wilson,
Crider,	James,	Ruth,	Woodring,
Crowe,	Jaspan,	Scarlett,	Woodward,
Dent,	Jones,	Snowden,	Walker, Presiding Officer

NAYS—0

A majority of al lthe Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 772, on third reading, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act to further amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2140) is hereby further amended to read as follows

Section 5 No carbonated beverages or still drinks shall be made except from syrup containing pure honey or pure defined can or beet sugar or pure defined dextrose and pure flavoring materials with or without added fruit acids and with or without added color Such carbonated beverages or still drinks shall contain not less than eight per centum sugars by weight The provisions of this section with respect to the amount of sugars required shall not apply to ginger ale or to nonalcoholic fruit juices This section does not prohibit the use of caramel colors or any other harmless ingredient and nothing but harmless certified approved artificial coal tar dye products and colors shall be used Provided That [no color shall be used in orangeade or orange drinks which may tend] the Secretary of Agriculture may adopt and issue rules and regulations governing the use of color in orangeade or orange drinks where any such beverage is likely to mislead the public by imitating or simulating the appearance of the natural juice of the orange

All carbonated beverages or still drinks shall be deemed to be adulterated which are not in compliance with the provisions of this section or which contain any of the ingredients prohibited by section three of the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" or which contain hydrogen peroxide or peroxides or perborates or benzoate of soda or benzoates or any other substance deleterious to health Provided That carbonated beverages and still drinks may contain not in excess of one-tenth (1/10) of one per centum of benzoate of soda or benzoates provided the bottles or other containers are labeled or in the case of bulk drinks suitable display cards are printed to show that the said drinks contain not in excess of one-tenth (1/10) of one per centum of benzoate or benzoates

The Secretary of Agriculture is hereby authorized to adopt and issue rules and regulations for the proper enforcement of this act and for the protection of the public health

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	**Kephart,**	**Stevenson,**
Becker,	Ealy,	Klein,	Stiefel
Berger,	Farrell,	Leader,	Tallman,
Blass,	**Geltz,**	**Letzler,**	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	**Heyburn,**	McCreesh,	**Wade,**
Coleman,	Holland.	McGinnis,	Wagner,
Cox,	**Homsher,**	Rosenfeld,	Wilson,
Crider,	**James,**	**Ruth,**	Woodring.
Crowe,	**Jaspan,**	**Scarlett,**	Woodward,
Dent,	Jones,	**Snowden,**	Walker.
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 784, entitled:

An Act to further amend section three hundred twenty of an act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by section four of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 784, on final passage, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 806, as follows:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand eight hundred eighty nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 239) is hereby further amended to read as follows

Section 20 That hereafter except in the case of corporations of the first class nonprofit corporations and cooperative agricultural associations not having capital stock and not conducted for profit banks savings institutions title insurance or trust companies building and loan associations and foreign insurance companies it shall be the duty of every corporation having capital stock every jointstock association limited partnership and every company whatsoever now or hereafter organized or incorporated by or under any laws of this Commonwealth and of every corporation joint-stock association limited partnership and company whatsoever now or hereafter incorporated or organized by or under the law of any other State or Territory of the United States or by the United States or by any foreign government and doing business in and liable to taxation within this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of any limited partnership or joint-stock association company or corporation whatsoever association or associations copartnership or corporationships person or persons or in any other manner to make annually on or before the fifteenth day of March for the calendar year next preceding a report in writing to the Department of Revenue on a form or forms to be prescribed and furnished by it setting forth in addition to any other information required by the Department of Revenue

First The amount of its capital stock at the close of the year for which report is made together with the highest selling price per share and the average selling price thereof during said year

Second Its debt account

Third Its income account together with the disposition of any net income and its profit and loss statement

Fourth Its general balance sheet

Fifth Its real estate and tangible personal property if any owned and permanently located outside of the Commonwealth and value of the same and the value of the property if any exempt from taxation

Sixth A valuation and appraisal in the manner hereinafter provided of the capital stock of the said corporation company joint-stock association or limited partnership at its actual value in cash as it existed at the close of the year for which the report is made

The affidavit of two of the officers of such corporation limited partnership joint-stock association or company shall be attached to said report Such affidavit shall be in the form required by the Department of Revenue but shall state in addition to any other averments required by the department that with fidelity and according to the best of their knowledge and belief the affiants have estimated valued and appraised as shown in said report the capital stock of the said corporation at its actual value in cash as it existed at the close of the year for which report is made [not less however than] taking into consideration first the average which said stock sold for during the year and second the price or value indicated or measured by net earnings or by the amount of profit made and either declared in dividends expended in betterments or carried into the surplus or sinking fund and third the actual value indicated or measured by consideration of the intrinsic value of its tangible property and assets and of the value of its good will and franchises and privileges as indicated by the material results of their exercise taking also into consideration the amount of its indebtedness

The time for filing reports may be extended taxpayers may be permitted to file their reports on a fiscal year basis the procedure in case the Department of Revenue is not satisfied with the appraisement made by the officers of the taxpayer and the penalties for failing to file reports and pay taxes shall be as prescribed by law

Section 2 Section twenty-one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 762) is hereby amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class nonprofit corporation and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That nothing herein contained shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth sec-

tion of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayer for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business [owned or rented] maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year [from (1) sales fees and commissions] except those negotiated or affected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business [owned or rented] maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises [owned or rented] maintained by the taxpayer outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or affected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint--stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and jointstock associations owning or holding such securities as trustees executors administrators administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty--six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 3 This act shall become effective immediately upon final enactment provided that nothing herein contained shall be construed to effect modify or repeal Section 2 of the said Act of the twenty-seventh day of May one thousand nine hundred forty-three Pamphlet Laws seven hundred sixty two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Ealy,	Letzler,	Troutman,
Berger,	Farrell,	Mallery,	Wade,
Blass,	Geltz,	Scarlett,	Wagner,
Bowers,	Heyburn,	Snowden,	Wilson,
Carr,	Homsher,	Stevenson	Woodward,
Chapman,	James,	Tallman,	Walker,
Crider,	Jones,	Taylor,	Presiding Officer
Crowe,	Kephart,	Thomas,	

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) IN THE CHAIR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 807, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances for the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes eliminating provisions for an Attorney Generals commission and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) enttiled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees for other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund The jurisdiction of the Board of Finance and Revenue to hear and determine a petition for refund as aforesaid shall not be affected or limited by the fact that proceedings under sections 1102 1103 or 1104 of this act involving the same tax or bonus and period for which a refund is sought are pending or have been closed provided such proceedings relate to other objections than those raised in the petition for refund All such petitions must be filed with the board within two years of the payment of which refund is requested or within two years of the settlement in the case of taxes or bonus whichever period last expires except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested or within one year of the settlement of such taxes or bonus whichever period last expires

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been

ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be filed within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an act of Assembly subsequently held by final judgment of a court of competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the petition to the board shall be filed within five years of the payment of which a refund is requested or within five years of the settlement of such taxes bonus or other moneys due the Commonwealth whichever period last expires But the limitation of five years herein prescribed shall not be deemed to apply in the case of applications for refunds of taxes paid on liquid fuels by political subdivisions prior to the effective date of this amendment where by court decision it has been held that the collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment The aforesaid limitation of five years shall likewise not be deemed to apply in the case of applications for refunds of taxes paid on certain alcohol usable for beverage purposes under the provisions of the act approved the twenty-second day of November one thousand nine hundred and thirty-three (P. L. 5 (1933-34) entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" where by court decision it has been held that the imposition or collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment

Section 2 Section seven hundred ten of the said act as amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 710 Gross Receipts Tax Returns and Payment of Tax Every corporation or association and every individual liable by law to pay to the Commonwealth a tax upon the gross receipts derived from any transportation traffic or other business done wholly within this Commonwealth shall transmit to the Department of Revenue on or before the first [days] day of February [and August] of each year a statement of the amount of such corporation's association's or individual's gross receipts from all sources and gross receipts from business done wholly within the State during the period of [six] twelve months immediately preceding the first [days] day of January [and July] of each year with such other relevant information as the Department of Revenue may require Every such corporation association and individual at the time of making every report required by this section shall compute and pay to the department the tax due the Commonwealth upon its gross receipts for the period for which such report is made

Section 3 Section eleven hundred three of the said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General of the act taken on any petition for a resettlement filed with it the party with whom the settlement was made may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder either shall state specifically therein the reasons upon which the petitioner relies or shall incorporate by reference the petition for resettlement in which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof A petition for review may be amended by the petitioner at any time prior to the hearing thereon as hereinafter provided

[The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received] The Board of Finance and Revenue shall list and hear such petitions within three months after they have been received and shall act finally in disposition of such petitions within six months after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within [ninety (90) days] six months the action taken upon the petition for resettlement shall be deemed sustained

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as it shall deem according to law and equity

Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to all departments involved and to the petitioner

Section 4 Section eleven hundred four of the said act as amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 1104 Appeal to Courts Any person association corporation public officer or other debtor aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within [ninety (90) days] six months may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be The said sixty (60) day period shall begin to run (a) From the end of the [ninety (90) day] six months period where the board fails to act or (b) from the date of mailing of notice of the refusal of the petition for review or (c) from the date of mailing by the Department of Revenue of the certification of a resettlement where the board has made a resettlement Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County All such appeals shall be lodged with the prothonotary of the court of common pleas of Dauphin County and a conformed copy thereof indicating the date on which it was filed shall be forwarded immediately to the Department of Justice

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and the party appealing shall enter sufficient security before one of the judges of the court of common pleas of Dauphin County within sixty (60) days next after the filing of the appeal with the clerk to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be done by such party to the Commonwealth

The party appealing shall file with every such appeal and [an affidavit containing] the specification of objections an affidavit [and] stating that the appeal is not

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taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

Appeals taken hereunder shall be hearings de novo [but no facts shall be admitted in evidence and] no questions shall be raised by the appellant that were not brought to the attention of the department making the settlement or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have [laid such evidence] raised such questions before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

The Commonwealth may raise any question on appeal although no appeal has been filed by it and may introduce any facts in support of its settlement or in correction thereof provided notice of thirty (30) days is given the appellant of the intention of raising such new questions or presenting new facts

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

Section 5 Section eleven hundred five of the said act as last amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby amended to read as follows

Section 1105 Authorization of Resettlement Upon Petition of the Department which made the Settlement Within two years after the date of any settlement or resettlement made subsequent to June first one thousand nine hundred and twenty-nine except such as have been appealed from [the department which made the settlement may by petition request the Board of Finance and Revenue to authorize a resettlement thereof and the Board of Finance and Revenue may grant the prayer of such petition and permit a resettlement to be made] the Department of Revenue with the approval of the Department of the Auditor General may make a resettlement

[With respect to any settlement or resettlement made prior to June first one thousand nine hundred and twenty-nine the department which made it or the department which has succeeded to its functions may at any time prior to June first one thousand nine hundred and thirty-two request permission of the Board of Finance and Revenue under like circumstances to make a resettlement and the board may in its discretion grant such permission]

Whenever a resettlement shall have been [authorized] made hereunder [the department which made the settlement] the Department of Revenue shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the party with whom or with which it is made

In the case of settlements made by the Department of Revenue the resettlement shall be subject to approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettle shall be submitted to the Board of Finance and Revenue as in the case of original settlements

In the case of settlements made jointly by the Department of the Auditor General and by the Treasury Department either of said departments may request authority from the Board of Finance and Revenue to make a resettlement hereunder and if such authority be granted the resettlement shall be made by joint action of said departments as in the case of original settlements

If a resettlement shall not be made or authorized hereunder within the time above prescribed an account upon which a final discharge has been granted shall not be opened but shall be quieted and finally closed

Section 6 Section eleven hundred eight of the said act as last amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 1108 Payment of Accounts After Settlement Without Prejudice to Right of Resettlement Review and Appeal

Any person association corporation public officer or other debtor who or which is required to make to the Department of Revenue a report upon the basis of which any bonus tax or other charge is to be settled or assessed shall have the right at any time to pay to the Department of Revenue the amount of any bonus tax or other charge due or deemed by him it or them to be due with interest if any as is then due and payable thereon without projudice to his its or their right to present and prosecute a petition for resettlement or redetermination to the Department of Revenue a petition for review to the Board of Finance and Revenue or an appeal to the court of common pleas of Dauphin County in the manner and within the times provided by law

[Provided that if such payment be made at any time after twenty-one (21) days after an appeal has been filed in the court of common pleas of Dauphin County it shall be accompanied with a commission to the Attorney General at the rate fixed by this act]

Whenever the principal amount due upon a settlement determination resettlement or redetermination or the principal amount determined to be due upon a petition to the Board of Finance and Revenue is less than the principal amount paid to the Department of Revenue and the person association corporation public officer or other debtor against whom such settlement has been made is satified therewith or whenever the principal amount due upon the final judgment entered on any appeal is less than the principal amount paid to the Department of Revenue the Department of Revenue shall enter a credit in the amount of such difference to the account of such person association corporation public officer or other debtor Such credit may be used by the person association corporation public officer or other debtor to whose account it is entered in payment of any tax bonus or other claim which may be or become due from him it or them to the Commonwealth and if all such charges have been fully paid any remaining credit may be assigned to any other person association corporation public officer or other debtor and such assignee may use it in payment of any such obligation to the Commonwealth

Section 7 Subsection (g) of section twelve hundred one of the said act as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 380) is hereby further amended to read as follows

Section 1201 Procedure Relating to Collection of Tax on Transfers of Property of Resident Decedents

* * * * *

(g) To receive from registers of wills all duplicate receipts for taxes paid to them by executors and administrators and to charge the registers receiving the money with the amount receipted for [to seal with its official seal and countersign the original receipt and transmit it to] The original of each such receipt shall be signed and sealed by the register of wills and transmitted to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall the executor or administrator be entitled to a credit in this account by the register unless the receipt is so signed and sealed by the register of wills [sealed and countersigned by the Department of Revenue]

Section 8 Section fourteen hundred two of the said act as amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 1402 Protection of Commonwealth Liens on Judicial Sales No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of

any corporation limited partnership or joint-stock association without first filing with the Department of Revenue not less than ten (10) days prior to such sale a statement containing the following information

First Name or names of the plaintiff or party at whose instance or upon whose account the sale is made

Second The name of the corporation limited partnership or joint-stock association whose property or franchise is to be sold

Third The time and place of sale

Fourth The nature of the property to be sold and the location of the same

It shall be the duty of the Department of Revenue after receiving notice as aforesaid to settle according to law all tax bonus or other public accounts for which reports have been filed and to make estimated settlements of all tax bonus or other public accounts for which reports have not been filed to date of such sale whether or not reports for such tax bonus or other public accounts are due and to furnish to the sheriff receiver trustee assignee master or other officer having charge of the sale a certified statement of account showing all unpaid taxes bonus or other public accounts on file in the department as liens against such corporation limited partnership or joint-stock association and in the case of no liens a certificate showing that fact which certified statement or certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such corporation limited partnership or jointstock association For the services performed in accordance with the provisions hereof the officer having charge of the sale shall receive the sum of three dollars ($3.00) to be taxed and paid as part of the costs of sale

Section 9 Section fourteen hundred eight of said act as last amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby repealed

Section 10 Section eight hundred six of the said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 806 Interest on Taxes and Bonus Due the Commonwealth All tax and bonus due the Commonwealth as provided by law shall bear interest at the rate of six per centum per annum from the date they are due and payable until paid Provided That in the case of all taxes and bonus which other provisions of this act require taxpayers to compute and pay at the time of filing the report or return if a settlement is not made within [two] one year after the date upon which the report or return was filed no interest whatsoever shall be imposed for the period between the end of such [two] one year and sixty days after the date of the approval of the settlement unless the taxpayer has filed a written waiver permitting interest to run after the end of said [two] one year The payment of interest as aforesaid shall not relieve any person association or corporation from any of the penalties or commissions prescribed by law for neglet or refusal to furnish reports to the Department of Revenue or to pay any claim due to the Commonwealth from such person association or corporation

Whenever the tax or bonus liability of a taxpayer is so affected by any settlement or resettlement as to change the interest liability which has been settled against such taxpayer such interest liability shall be adjusted by the Department of Revenue and the Department of the Auditor General so as to correspond to the tax or bonus liability as changed without the necessity for the filing of any petition or request by the taxpayer or by said departments

Section 11 The amendments hereinbefore made to sections eleven hundred eight and fourteen hundred eight of The Fiscal Code by which Attorney General's commission is repealed and to section eight hundred six by which the imposition of interest is modified shall apply only to tax or bonus due under reports filed for the calendar year one thousand nine hundred forty-four or any fiscal year beginning in one thousand nine hundred forty-four and for every calendar or fiscal year thereafter

All other provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 839, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer a corrective amendment which is very necessary to the bill.

The PRESIDENT. Is there objection?

AMENDMENT WITHDRAWN

Mr. WOODRING. Mr. President, I ask leave to withdraw my amendment.

The PRESIDENT. Permission is granted.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 839, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 784 CALLED UP

Mr. BARR. Mr. President, I call up for consideration at this time Senate Bill No. 784, on final passage, on page 14 of today's Calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of Senate Bill No. 784, as follows:

An Act to further amend Section 320 of an Act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 320 of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances Every county employee who has reached the age of sixty years or upwards and who shall have been a county employee during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance as herein provided for The time spent in the employ as a county employee need not necessarily have been continuous Provided That when any employee has had twenty or more years of service not necessarily continuous and has reached the age of fifty years and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall theerafter receive during life a retirement allowance as herein provided for

A county employee who became such through the consolidation of a city institution district with a county institution district may have the period of his city employment credited as county employment for all purposes under this act provided that the said employee shall pay into the retirement fund the amount which he would have been required to pay into the said fund if he had been a county employee from the date of his original employment with the city and further provided that the city by which the said employee was formerly employed shall pay into the retirement fund an amount equal to that paid into the said fund by the said employee under the provisions of this act If such employee leaves the county employ at any time withdraws his contribution to the retirement fund as this act provides the city shall also have the right to withdraw its contribution and if such employee returns to the county employ and returns the amount withdrawn from the retirement fund plus interest as this act provides the city shall also return the amount withdrawn by it plus interest at the same rate Any city is hereby authorized and empowered to make an appropriation out of the funds of the city to the retirement fund as herein provided

Section 2 This act shall become effective immediately upon final enactment and the rights granted hereunder shall expire unless exercised within one year after final enactment

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President and members of the Senate, effective as of January of this year, the Mayview Hospital in Pittsburgh has become a part of the county institutional district. It was formerly a city hospital. There are many people who work there who have had fifteen or sixteen years of service and now that they are being transferred to county employment, they are losing their pension rights.

This bill is one that has been worked out between the city and county governments and it is strictly something of their own concern. I do not think any member of the Senate wants to see these people, who have spent many years as employes of that institution, deprived of their pension rights, and that is simply what the bill provides.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas.
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Wade
Chapman,	Holland	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 842, as follows:

An Act authorizing cities boroughs towns and townships to establish veteran's service centers and to expend money therefor and for the operation and maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any city borough town or township may establish a veteran's service center for the purpose of assisting war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States For such purpose any such political subdivision may appropriate and expend money for the rental and equipment of space in which to conduct such service center and may employ such persons at such compensation as may be necessary to conduct the same and purchase supplies and other things needed therefor

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,

Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 845, on third reading, entitled:

An Act to amend section thirteen of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" by further regulating the eligibility lists in cities of the second class "A"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 873, as follows:

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" providing for the termination of memberships for filing summaries of audits for involuntary winding up and dissolution of associations failing to file such summaries exempting associations from payment of certain State taxes and the filing of reports relative thereto and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1201) are hereby further amended to read as follows

Section 15 Any member director or officer of the association may for cause at any regular meeting or any special meeting called for the purpose after a notice in writing has been sent to each member at least ten days before the time set for such meeting setting forth the purpose of such meeting be removed from office by vote of not less than two-thirds of the members present Reasonable notice of the time place and object of any such meeting shall be given in the manner prescribed in the by-laws to the members directors or officers against whom charges are to be presented Such directors members or officers shall at the same time be informed of such charges and at such meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto In cases where the member has done no business with the association for a period of twelve months the board of directors upon at least ten days' notice and after giving such member an opportunity to be heard may terminate the membership of such person or persons Provided however That the termination of the membership of such person or persons shall not affect any claims which the association may have against any such persons or persons or which such person or persons or his or their estates may have against the association

Section 18 Every association shall from time to time appoint an auditing committee of three persons who shall not be directors officers agents or employes of the association but who may or may not be members of said association Said committee shall not least once in each fiscal year of such association examine its records and property and within one month after such examination report in writing the results thereof to the association At the close of each fiscal year a complete audit of the operations of the association shall be made in the case of associations having a gross annual income not exceeding two thousand dollars by said committee in all other cases by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the members admitted and withdrawn the total number of members and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file [one copy of said report] a summary of the statistical information contained in the report of audit with the Secretary of Agriculture of this Commonwealth and [one copy] with the Dean of the School of Agriculture of the Pennsylvania State College upon a form prescribed by the Secretary of Agriculture with the approval of the Dean of the School of Agriculture

Any association which for three successive years shall fail to file with the Secretary of Agriculture the summary of audit hereinbefore provided shall be notified by registered mail by the Secretary of Agriculture that such summary must be filed within thirty days from the date of mailing such registered notice In the event such association fails to file the summary of audit within the period of thirty days the Secretary of Agriculture shall certify to the Secretary of the Commonwealth that such association has failed to comply with the terms of this section The Secretary of the Commonwealth upon receipt of said certificate shall by registered mail notify said association its president and its treasurer at their last known addresses that upon a day fixed by him which shall not be less than thirty days nor more than forty-five days from the date of mailing such registered notices a hearing will be held before him in his office at Harrisburg Pennsylvania to determine whether such association is still doing business During the period between the mailing of such registered notices and the date of the hearing the Secretary of the Commonwealth shall cause an advertisement of the date and purpose of such hearing to be inserted for two successive weeks in at least one newspaper of general circulation in the county where the principal office of said association is located which shall constitute notice to all interested parties Such registered notices and such advertisement shall state that in the event no evidence is produced before the Secretary of the Commonwealth that such association is doing business the record of such hearing will be transmitted and certified to the Attorney General for the purpose

of instituting proceedings for the involuntary winding up and dissolution of such association and to annul vacate and forfeit the articles of such association

At the hearing before the Secretary of the Commonwealth the Secretary of Agriculture or his deputy shall be sworn and shall give testimony regarding the failure of such association to file the summaries of audits

In the event that such association prior to the hearing shall have filed with the Secretary of Agriculture the summaries of audits for the preceding three years such proceedings shall then be dismissed without prejudice to such association

If testimony is presented at the hearing showing that such association is doing business such proceedings shall then be dismissed and if the officers of such association shall neglect or refuse to file such summaries of audits with the Secretary of Agriculture and with the Dean of the School of Agriculture as hereinbefore provided in this section within thirty days from the date of said hearing said officers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court

In the event no testimony is presented to the Secretary of the Commonwealth that such association is doing business the Secretary of the Commonwealth shall certify and transmit the record of such hearing to the Attorney General who at the expense of the Commonwealth except as hereinafter provided shall institute involuntary proceedings for the winding up and dissolution of such association and to annul vacate or forfeit the articles of such association If in said involuntary proceedings said association shall appear in opposition thereto and shall show that it is solvent and doing business and the court shall dismiss the proceedings said dismissal shall be at the cost of such association In the event of such dismissal if the officers of such association shall neglect or refuse to file such summaries of audit with the Secretary of Agriculture and with the Dean of the School of Agriculture as hereinbefore provided in this section within thirty days from the date of such dismissal said officers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court No person shall without the consent of the association except for official purposes or in obedience to judicial process make or permit any disclosure whereby any information contained in said [report] summary of audit may be identified as having been furnished by said association [Any person violating or failing to comply with] and any person making or permitting any such disclosure as provided in this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court All associations organized and doing business under the provisions of this act shall be exempt from the payment of any State tax upon net income or measured by net income and shall not be required to file with the Department of Revenue of this Commonwealth reports relative to such taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Ealy,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	

NAYS—1

Gourley,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 877, on third reading, entitled:

An Act to further amend sections sixteen and seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales eliminating the right of redemption after such sales and further providing for the reimbursement to the county for moneys spent on such property in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1062, as follows:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by giving trustees the right to hold certain real estate under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 227) is hereby further amended to read as follows

Section 9 The jurisdiction of the several orphans' courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any person interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appointed nominatim or virtute officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedents shall die seised and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien if debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances and other charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders or decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certifications

(n) The control removal discharge and settlement of accounts of trustees of trusts inter vivos

(o) The control removal discharge and settlement of accounts of trustees of life insurance trusts whether taking effect during the lifetime or at or after the death of the insured or settlor

(p) The right to empower and authorize testamentary trustees to continue to hold real estate charged with a charitable purpose notwithstanding provisions of the will of the testator where in the judgment of the court it will enable the testamentary trustees eventually to accomplish the main intent of the testator

The exercise of all other powers needful to the doing of anything which is or may be hereafter required or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law Provided however That nothing in the foregoing shall be construed to relieve executors administrators or trustees who have entered into an agreement of sale of real estate of a decedent or any other real estate held in trust in good faith and who prior to the time fixed for settlement thereunder have received a higher offer for such real estate from the payment of real estate broker or broker's commissions to the broker who had procured such agreement of sale and in the event that more than one real estate broker is entitled to commissions for said agreements of sale then such commissions shall be equally divided between or among such real estate brokers Provided further That the total aggregate commissions paid shall in no event exceed five per cent of the gross consideration of the final sale

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Gourley,	Margle,	Tallman,
Becker,	Haluska,	McCreesh,	Taylor,
Coleman,	Heyburn,	McGinnis,	Thomas,
Cox,	Holland,	Rosenfeld,	Troutman,
Crider,	James,	Ruth,	Wade,
Crowe,	Jaspan,	Scarlett,	Wagner,
Dent,	Jones,	Snowden,	Walker,
DiSilvestro,	Klein,	Stevenson,	Wilson,
Farrell,	Letzler,	Stiefel,	Woodring,
Geltz,	Mallery,		

NAYS—7

Berger,	Carr,	Ealy,	Kephart,
Blass,	Chapman,	Homsher,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1068, as follows:

An Act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schilykill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said Board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation

Whereas the accumulation of wastes from mining operations industrial processes and municipal sanitation in the Schuylkill River and its tributaries has reached the point where it constitutes a menace to the health safety and welfare of the public has endangered and contaminated the supply of purse waters and is primarily responsible for the frequent floods resulting in the spreading of disease and great loss of life and property and

Whereas it is imperative for government to exercise due diligence and reasonable control and to provide appropriate services in the matter of the development and conservation of human and natural resources and

Whereas it is necessary to continue the proper relationships and division of responsibilities among the Federal State and local levels of government under which this nation has operated so successfully and

Whereas it is a fundamental public right to require streams to be reasonably free of pollution and other objectionable forms of contamination and

Whereas legislation has been enacted to prevent the future degradation of the streams of the Commonwealth including the Schuylkill River and its tributaries and

Whereas the removal and proper disposal of the existing thirty million tons of silt deposits accumulated in the channel and on the banks of the Schuylkill River requires participation by the Federal government and the Commonwealth of Pennsylvania and

Whereas the Commonwealth's responsibility in the execution of the aforesaid Schuylkill corrective project is deemed to involve the acquisition repair and maintenance of certain dams in the section of the Schuylkill River above Norristown the dredging and disposal of an estimated twenty million tons of silt deposists in such section of the Schuylkill River above Norristown and the construction of one or more desilting basins in the headwaters of the Schuylkill River and its tributaries at an estimated total cost of approximately fifteen million dollars ($15,000,000) to be expended over a period of six (6) years and the Federal government's responsibility is deemed to cover the dredging and disposal of approximately ten million tons of silt from the section of the river between Norristown and Philadelphia at an estimated cost of ten million dollars ($10,000,000)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is hereby declared to be the intent and purpose of this act to carry into effect as soon as practicable a project to prevent the future accumulation of wastes including coal silt industrial processes and municipal sanitation and the prevention of pollution in the Schuylkill River and its tributaries and to dredge and dispose of the existing accumulations in the Schuylkill River above the Norristown dam at Norristown Pennsylvania Such project among other things will involve the acquisition of dams canals lands easements right-of-ways and other rights and of properties for the disposal of material dredged from the Schuylkill River and its tributaries the construction repair and maintenance of dams required to carry on dredging operations the construction of dikes and other protective works at disposal areas and physical dredging operations

Section 2 Water and Power Resources Board The Water and Power Resources Board of the Department of Forests and Waters is hereby designated as the agency of the Commonwealth to carry into effect the project for the construction of desilting basins or other works in the headwaters of the Schuylkill River and its tributaries to prevent the future silting and pollution of that river and for the dredging and disposal of existing accumulations in the section of the river above the Norristown dam at Norristown Pennsylvania

Section 3 Powers and Duties The Water and Power Resources Board is hereby authorized to clean out widen alter dredge or change the course current or channel of the Schuylkill River or any of the tributaries to fill up any abandoned canal or water course to construct and maintain levees dikes walls revetments dams reservoirs and other works and improvements deemed necessary to carry out the purposes of this act It shall also have the power to control and regulate the flow of the Schuylkill River and its tributaries during the period of the execution of the project to construct or enlarge bridges and culverts to construct and relocate public highways to construct any of said works and improvements across or through any public highway canal railroad right-of-way or tracks to remove change the location of or construct any of the above mentioned structures and facilities or such other structures or facilities as are necessary to carry out the intent of this act

Section 4 Surveys and Plans The Water and Power Resources Board is hereby authorized to make such appropriate surveys and prepare such suitable plans as are necessary for the execution of the above stated project or to negotiate and contract for such surveys and plans

Section 5 The Water and Power Resources Board in conjunction with the Department of Property and Supplies is hereby authorized to sell lease or otherwise dispose of any material or materials obtained by dredging or removal of structures acquired under the provisions of this act and not needed by the Commonwealth for other purposes relative to this project Any money so received through such sale lease or other disposition shall accrue to the fund created by this act

Section 6 The Water and Power Resources Board with the approval of the Attorney General may enter into contracts or agreements with any person corporation and municipality covering the removal or relocation of gas water telephone telegraph electric light electric power lines highways railroads or any other facilities and providing therein for said removal or relocation by the person corporation or municipality owning such facility The Board may acquire any necessary lands easements and right-of-ways and may pay all costs and damages necessary arising from and incidential to said removal or relocation

Section 7 Acquisition of Properties and Rights The Water and Power Resources Board is hereby authorized subject to the approval of the Attorney General to acquire by donation agreement lease purchase or condemnation and to own or hold in the name of the Commonwealth real and personal property rights lands easements and right-of-ways necessary for the execution of the above stated project

Section 8 Condemnation Proceedings Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the Water and Power Resources Board is hereby authorized and empowered to acquire by condemnation any lands rights easements franchises and other property deemed necessary or convenient for the completion or efficient operation of the purposes hereinbefore set forth In such event application shall be made by the Water and Power Resources Board acting through the Department of Justice or by the owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the free holders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten (10) days personal notice of the time and place of such meeting to be given to the Attorney General or to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such lands rights easements franchises or other property and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands rights easements franchises or other property they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the board to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem

necessary the same shall be filed in the court Within thirty (30) days after the filing of the report in the court the board acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty (30) days after final action on the report by the court the board acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the board shall be taken in the name of the Commonwealth

In addition to the foregoing powers the board and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass

Whenever the board decides to acquire any such lands rights easements franchises or other property by condemnation as hereinbefore provided the board shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the board may proceed to obtain possession in the manner now provided by law

Section 9 The Water and Power Resources Board is hereby authorized to consult cooperate negotiate and with the approval of the Attorney General enter into contracts and other agreements with the Federal government any political subdivisions municipality authority corporation association person or persons for cooperation and assistance in planning constructing financing maintaining and operating any works or facilities needed to carry out the intent of this act Provided That all work of any character whatsoever performed under the authority of this act except as undertaken by its own forces or other agencies of the Commonwealth or of the Federal Government shall be performed under written contract let by the Water and Power Resources Board to the lowest responsible bidder after due advertisement as provided by law and in accordance with plans and specifications prepared by the board

Section 10 The sum of five million dollars ($5,000,000) is hereby specifically appropriated to a fund to be known as the Schuylkill River Desilting Fund for use of the Water and Power Resources Board for the purposes of carrying into effect the provisions of this act It is the legislative intent that the purposes herein set for shall be initiated at the earliest practicable time and work shall be continued to the limit of the funds appropriated herein

Section 11 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,
DiSilvestro,	Kephart,	Stevenson,	

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1104, as follows:

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion providing for the organization of the various counties into soil conservation districts the appointment of their officers and employes and prescribing their powers and duties creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto providing for disposition and operation of existing districts and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and cited as the "Soil Conservation Law" of one thousand nine hundred forty-five

Section 2 Declaration of Policy It is hereby declared to be the policy of the Commonwealth to provide for the conservation of the soil and soil resources of this Commonwealth and for the control and prevention of soil erosion and thereby to preserve natural resources assist in the control of floods prevent impairment of dams and reservoirs assist in maintaining the navigability of rivers and harbors preserve wildlife preserve the tax base protect public lands and protect and promote the health safety and general welfare of the people of the Commonwealth

Section 3 Definitions Whenever used or referred to in this act unless a different meaning clearly appears from the context

(a) "Commonwealth" means the Commonwealth of Pennsylvania

(b) "Agency of this Commonwealth" includes the government of this Commonwealth and any subdivision agency or instrumentality corporate or otherwise of the government of this Commonwealth

(c) "District" or "Soil conservation district" means any county in the Commonwealth whose board of county commissioners has by resolution declared said county to be a soil conservation district

(d) "County board" means the board of county commissioners of any county within the Commonwealth

(e) "Directors" or "Board of directors" means the governing body of a soil conservation district appointed under the provisions of this act

(f) "Commission" means the State Soil Conservation Commission created by this act

(g) "United States" or "Agency of the United States" includes the United States Department of Agriculture and any other agency or instrumentality corporate or otherwise of the government of the United States of America

(h) "Government" or "governmental" includes the government of this Commonwealth and the government of the United States

(i) "Land occupier" or "occupier of land" includes any person firm or corporation who shall hold title to or shall be in possession of any lands lying within a soil conservation district organized under the provisions of this act whether as owner lessee renter tenant or otherwise

Section 4 State Soil Conservation Commission (1) There is hereby created in the Department of Agriculture the State Soil Conservation Commission which shall be a Departmental Administrative Commission with all the powers and duties generally vested in and imposed upon such commissions by the Administrative Code of one thousand nine hundred twenty-nine and its amendments The commission shall consist of the Secretary of Agriculture who shall be the chairman the Secretary of Forests and Waters the Dean of the School of Agriculture of the Pennsylvania State College three farmer members who shall be farmers to be appointed by the Governor from a list of six nominees submitted by the association known as "Pennsylvania State Council of Farm Organizations" In the event however that said association shall fail to make and submit to the Governor nominations to fill vacancies the Governor may appoint any citizens of Pennsylvania to fill such vacancies The commission shall keep a record of its official actions and may perform such acts and promulgate such rules and regulations as may be necessary and employ such personnel as needed for the execution of its functions under this act

(2) The commission may call upon the Attorney General of the Commonwealth for such legal services as it may require It shall have authority to delegate to its chairman to one or more of its members or to one or more agents or employes such powers and duties as it may deem proper Upon request of the commission for the purpose of carrying out any of its functions any agency of the Commonwealth and Pennsylvania State College may assign or detail members of the staff or personnel to the commission and may make such special reports surveys or studies as the commission may request

(3) The farmer members of the commission shall be appointed for a period of two years and shall hold office until their successors have been appointed and have qualified At the expiration of their terms of offices or in the event of vacancies through death resignation or otherwise new farmer members shall be appointed in the manner set forth in paragraph one of this section A majority of the commission shall constitute a quorum and all decisions shall require the concurrence of a majority of the commission All members of the commission shall be entitled to their actual and necessary expenses including traveling expenses incurred in the discharge of their duties The commission shall provide for the execution of surety bonds for all employes and officers who shall be entrusted with funds or property of the commission shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted

(4) In addition to the duties and powers herein conferred upon the commission it shall have the following duties and powers

(a) To offer such assistance as may be appropriate to the directors of soil conservation districts

(b) To keep the directors of each of the several districts generally informed of activities and experience useful to other districts

(c) To approve and coordinate the programs of the several soil conservation districts or projects to apportion among the several districts any funds allotted from state or federal sources and to be responsible for the expenditures of such funds by the districts

(d) To secure the cooperation and assistance of any governmental agency and to be the agency through which government aid in erosion control can be extended to private lands This provision shall not apply to educational projects

(e) To disseminate information concerning the activities and programs of the soil conservation districts and to encourage the formation of such districts in areas where their organization is desirable

(f) To accept contributions of money services or materials to carry on erosion control work under the provisions of this act

(g) To designate the county-wide agricultural organizations whose officers or delegates may act in nominating farmers for appointment as farmer directors as provided in section six of this act Such designations may be changed from time to time as conditions may warrant

(5) The commission shall have the power to receive such funds as appropriated given granted or donated to it or to the program provided for in this act by the Federal government the Commonwealth or any other governmental or private agency or person and shall use such funds for the carrying out of the provisions of this act The commission may allocate such funds or parts thereof to the soil conservation districts Funds so allocated shall be apportioned in an equitable and just manner at the discretion of the commission but the decision of the commission shall be final

Section 5 Creation of Soil Conservation Districts (1) When the board of county commissioners of any county shall determine in the manner hereinafter provided that conservation of soil resources and control and prevention of soil erosion are problems of public concern in the county and that a substantial proportion of the rural land owners of the county favor such a resolution it shall be lawful for the said board of county commissioners by a resolution adopted at any regular or special meeting of the board to declare the county to be a soil conservation district for the purpose of effectuating the legislative policy announced in section two These determinations may be made through petitions hearings referenda or by any other means which the board of county commissioners deems appropriate

(2) Such a soil conservation district upon its creation shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof

Section 6 Designation of District Directors When a county has been declared a soil conservation district a board of directors consisting of five members shall be appointed by the board of county commissioners This board of directors shall consist of one member of the board of county commissioners and four practical farmers the farmer members to be appointed shall be selected from a list containing at least double the number of farmer directors to be appointed and such list is to be submitted by a body consisting of the president and secretary or two official delegates from each of the countywide organizations designated by the State Soil Conservation Commission Upon receipt of notice from the State Soil Conservation Commission of the organizations to be entitled to make such nominations the Board of County Commissioners shall call a meeting of the official delegates and conduct the election of the proper number of nominees

Section 7 Appointment Qualifications Compensation and Tenure of Directors The director appointed from the board of county commissioners shall be appointed annually by the Board of County Commissioners The first four farmer directors appointed shall be designated to serve for terms of one two three and four years respectively Thereafter each farmer director shall serve for four years A director shall hold office until his successor has been appointed and has qualified Vacancies shall be filled for the unexpired terms The selection of successors to fill unexpired terms or for full terms, shall be in the same manner in which the respective retiring directors shall have been selected

The director appointed from the Board of County Commissioners shall receive no additional compensation but shall receive traveling expenses as allowed as a

member of the Board of County Commissioners The farmer members of the board of directors shall serve without pay but may be reimbursed for traveling expenses incurred while engaged in the performance of their official duties provided funds are made available by the Board of County Commissioners or by the State Soil Conservation Commission for such purpose and under such terms and conditions as the County Board or the Commission whichever has provided the funds shall determine

Section 8 Organization of Directors (1) The board of directors of the district shall be the governing body thereof They shall designate a chairman and may from time to time change such designee The directors may delegate to their chairman or to one or more directors such powers and duties as they shall deem proper The directors shall furnish to the State Soil Conservation Commission upon request copies of such rules orders contracts forms and other documents as they shall adopt or employ and such other information concerning their activities as the commission may require in the performance of its duties under this act They may likewise appoint a secretary who need not be a member of the board of directors

(2) The board of directors shall provide for the execution of surety bonds for any members or employes who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements

(3) The board of directors may invite the legislative body of any political subdivision to designate a representative to advise and consult with the directors of the district on all questions of program and policy which may affect the property water supply or other interests of such political subdivision

Section 9 Powers of Districts and Directors The directors of a soil conservation district shall have the following powers in addition to those granted in other sections of this act

(1) To conduct surveys investigations and research relating to the character of soil erosion and the preventive control measures needed to publish the results of such surveys investigations or research and disseminate information concerning such preventive and control measures after securing approval from the State Soil Conservation Commission Provided however That in order to avoid duplication of research activities no district shall initiate any research program except in cooperation with the Pennsylvania State College School of Agriculture or an agency approved by the State Soil Conservation Commission

(2) To employ the necessary personnel to properly conduct the operations of the district and provide adequate and necessary insurance coverage for directors and employes provided funds are available for such purposes

(3) To carry out preventive and control measures within the district including but not limited to engineering operations methods of cultivation the growing of vegetation changes in use of land and drainage operations on lands owned or controlled by this State or any of its agencies with the consent and cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the written consent of the owner and occupier of such lands or the necessary rights or interests in such lands

(4) To cooperate or enter into agreements with and to furnish financial or other aid to any agency governmental or otherwise or any occupier of lands within the district in carrying on erosion control and prevention operations including ditching and draining operations for effective conservation and utilization of the lands within the district subject to such conditions as the directors may deem necessary to advance the purposes of this act provided however That such agreements are within the limits of available funds or within appropriations made available to it by law

(5) To obtain options upon and to acquire by purchase exchange lease gift grant bequest devise or otherwise any property real or personal or right or interests therein to maintain administer and improve any properties acquired to receive income from such properties and to expend such income in carrying out the purposes and provisions of this act and to sell lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this act

(6) To make available on such terms as it shall prescribe to land occupiers within the district agricultural and engineering machinery and equipment fertilizer seeds and seedlings and such other material or equipment as will assist such land occupiers to carry on operations upon their lands for the effective conservation and utilization of soil resources and for the prevention and control of soil erosion

(7) To construct improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this act

(8) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district which plans shall specify in such detail as may be possible the acts procedures performances and avoidances which are necessary or desirable for the effectuation of such plans including the specfication of engineering operations methods of cultivation the growing of vegetation cropping programs tillage practices and changes in use of land and to publish such plans and information and bring them to the attention of occupiers of lands within the district Provided however That in order to avoid duplication of educational activities such plans and information shall be published in cooperation with the Pennsylvania State College School of Agriculture or with the approval of the State Soil Conservation Commission

(9) To sue and be sued in the name of the district to have perpetual succession unless terminated as hereinafter provided to make and execute contracts and other instruments necessary or convenient to the exercise of its powers to make and from time to time amend and repeal rules and regulations not inconsistent with this act to carry into effect its purposes and powers

(10) As a condition to extending any benefits under this act or to the performance of work upon any lands not owned or controlled by the Commonwealth or any of its agencies the board of directors may require contributions in money services materials or otherwise to any operations conferring such benefits and may require land occupiers to enter into and perform such agreements or covenants as to the long term use of such lands as will tend to prevent or control erosion thereon

(11) No provisions with respect to the acquisition operation or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the legislature shall specifically so state

(12) To accept contributions of any character from any source whatsoever but only by and with the consent and approval of the State Soil Conservation Commission unless specifically authorized so to do by this act

Section 10 Cooperation between Districts The directors of any two or more districts organized under the provisions of this act may cooperate with one another in the exercise of any or all powers conferred in this act

Section 11 State Agencies to Cooperate Agencies of this Commonwealth which shall have jurisdiction over or be charged with the administration of State highways or any State-owned lands and agencies of any county or other governmental subdivision of the State which shall have jurisdiction over or be charged with the administration of any county-owned or other publicly owned lands lying within the boundaries of any district organized hereunder may cooperate with the directors of such districts in the effectuation of programs and operations undertaken by the board of directors under the provisions of this act

Section 12 Discontinuance of Districts (1) The county board of any county in which by resolution such county was declared to be a soil conservation district may at any time after five years from the passage of said reso-

lution and after determining that a substantial proportion of the rural land occupiers of the district so desire and upon approval by the Commission repeal said resolution at a regular or special meeting of said board This determination may be made through hearings petitions referenda or any other means which the county board deems appropriate

(2) Upon the repeal of the resolution which declared the county to be a soil conservation district the directors may not enter into any more contracts or agreements on behalf of the district and all rules and regulations theretofore adopted and in force within such district shall be of no further force and effect Such district however shall continue for the purpose of fulfilling its contracts discharging any existing obligations collecting and distributing its assets and doing all other acts required to adjust and wind up its affairs not to exceed a period of two years

(3) Upon the repeal by the Board of County Commissioners of the resolution declaring the county to be a soil conservation district the directors shall at public auction dispose of all property belonging to the district as soon as said property is no longer needed by the district to fulfill any existing contracts and shall forthwith pay over the proceeds of such sale less the necessary costs of the sale into the county treasury The directors shall at least ten days prior to holding such public auction notify the State Commission of the property proposed to be sold thereat and after such sale shall render to the Board of County Commissioners and to the State Commission a report of such sale specifying the property sold the amount received therefor and the disposition of the proceeds Such report of the sale shall also be accompanied by a list of the remaining property of the district still undisposed of

(4) Any property real or personal remaining unsold at the end of two years shall be taken over by the county board for proper disposition and the proceeds derived therefrom placed in the county treasury

Section 13 County Commissioners' Appropriations The county commissioners of the several counties of this Commonwealth are hereby authorized to appropriate annually out of the current revenues of the county moneys to the soil conservation district properly organized and functioning under the provisions of this act and located within the county The amount appropriated shall be determined as in the case of county appropriations or appropriations of cities of the first class as the case may be

Section 14 State Appropriations The General Assembly of the Commonwealth shall appropriate from time to time as may be necessary moneys out of the General Fund to the State Soil Conservation Commission for its use in administering the provisions of this act

Section 15 Acts Repealed The act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2724) entitled "An act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil conservation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropriation" as amended is hereby repealed except that districts now chartered and operating under said acts lying wholly in one county may continue to operate thereunder with the State Soil Conservation Commission replacing the State Soil Conservation Board until the Board of County Commissioners in the county in which such district is located declare the county to be a soil conservation district at which time their affairs shall be closed out and all assets and records turned over to the board of directors of the newly declared district or when a district now chartered and operating under said acts has boundaries which extend into two counties it may continue to operate thereunder with the State Soil Conservation Commission replacing the State Soil Conservation Board until the county commissioners in the county in which the major part of such district is located declare that county to be a soil conservation district at which time the affairs of such district shall be closed out and all assets and records turned over to the board of directors of the newly declared district (in the case where a soil conservation district now organized shall comprise territory outside of the county containing its principal territory the portion outside shall be administered by the board of directors of the newly formed district comprising the county where the principal territory is located until such time as the county where the outside portion is located shall constitute itself a soil conservation district under this act whereupon the said outside portion shall become a part of the county district wherein it is geographically located) and in cases where the board or boards of county commissioners fails or fail to organize under this act said district or districts may continue to function as heretofore under said acts

Section 16 Contracts to Remain in Force Whenever any lands which constitute all or a part of a soil conservation district created pursuant to the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2724) and its amendments become a part of a district created by resolution of the Board of County Commissioners all contracts theretofore entered into to which the former district or supervisors thereof were parties shall remain in force and effect for the period provided in such contracts and the directors of the newly created district shall be substituted for the supervisors of the former district as party to those contracts relating to lands lying within the district of which they are directors

The representatives directors of the district created by the Board of County Commissioners shall be entitled to all the benefits and be subject to all liabilities under such contracts and shall have the same right and liability to perform to require performance to sue and be sued thereon including the right to terminate such contracts by mutual consent or otherwise as the supervisors of the district created pursuant to the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2724) and its amendments

Section 17 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, this is a bill creating the State Soil Conservation Commission in the Department of Agriculture. It is not everything we desire, but we know that the present program is way behind other states. This is a step, we hope, in the right direction. We are setting up machinery whereby Pennsylvania can participate in this nationwide soil conservation program. We hope that those who will be charged with the responsibility of trying to meet the changes that will be necessary, if this bill is passed, will do their duty and see to it that Pennsylvania takes its place rightfully amongst the states that are trying to conserve their natural resources, namely, our most valuable asset, the fertile lands of Pennsylvania. I ask my colleagues to vote for this bill.

Mr. McGINNIS. Mr. President, at this time I think State College and the Grange ought to be warned that if they want soil conservation in Pennsylvania like they

have in other states, they had better accept some federal aid and not ignore it and be denied the rights other states are getting.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1139, on third reading, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwelath of Virginia and the District of Columbia to authorize the Governor of the state to execute on behalf of this state a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office and providing an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1175, as follows:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-three (Appropriation Acts page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sum or as much thereof as may be necessary for a deficiency in an appropriation made to the Department of Forests and Waters by the act to which this is a supplement is hereby appropriated to that department as follows

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of expenses incurred for the extinction and control of forest fires the sum of seventy-five thousand dollars ($75,000)

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland.	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals providing for the licensing of such business and the cancellation of such licenses authorizing the Department of Agriculture to promulgate rules and regulation therefor and imposing certain duties upon said department and providing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 17, page 6, line 23, by striking out the word "twenty-four" and inserting in lieu thereof "forty-eight".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1250, as follows:

An Act providing a uniform method for taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city county township incorporated town or borough

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the duly authorized officer or representative of any city county township incorporated town or borough hereafter shall desire to obtain a sample of any food or processed food for the purpose of making an analysis or analyses or examination thereof such officer or agent shall do so in either of the following manners

(a) The sample shall be divided in the presence of the person of whom the request or demand for the sample was made or before a witness into two or more parts and each part shall be sealed in a suitable package One part shall be tendered and if accepted shall be delivered to the person of whom the request or demand was made together with a statement in writing that such sample was taken for the purpose of analysis or examination which statement shall be signed by the officer or representative taking the sample or

(b) Another sample of the identical product shall be taken in the presence of the person of whom the request or demand for the sample was made and this sample shall be delivered to the person of whom the request or demand was made together with a statement in writing that another sample of the identical product was taken for the purpose of analysis or examination which statement shall be signed by the officer or representative taking the sample

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective two (2) months after the date of its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 1278, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to reenact and amend the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 68) entitled "An act authorizing the county commissioners of each county of the third class to establish and maintain a Registery Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties" extending its provisions to counties of the fourth fifth sixth seventh and eighth class and conferring powers and imposing duties on county engineers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 238, on second reading, entitled:

An Act to further amend the act approved the fifth day of January one thousand nine hundred thirty-four (P. L. 223) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties" by further providing for compensation to certain persons who served in the military or naval forces of the United States during the Cuban Occupation the Porto Rican Occupation the Cuban Pacification or who served during a certain time in the Philippines and was awarded a campaign medal and making an appropriation

be recommitted to the Committee on Military Affairs, for the purpose of further study.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 279, entitled:

An Act to amend section one of the act approved the first day of June one thousand nine hundred forty-three (App. Acts p. 15) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto" increasing the amount of such appropriation and extending the time thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend section five hundred two and section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating laws relating thereto" requiring submission of all plans for public improvements to the County Planning Commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 533, entitled:

An Act concerning liens of factors on merchandise and defining "factor"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 568, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts and repealing certain provisions of said act and of other laws relating thereto

go over in its order.

The PRESIDENT. Is there objection?

Mr. COX. Mr. President, I have no objection to this bill going over in its order—I think it is a good thing—but I do think if it goes over it should be made a special order of business. We have teachers here from all over the state, they have been here all week, and they have got to return to their schools. Will you make it a special order of business and will you set a time?

I withdraw my request, Mr. President.

The PRESIDING OFFICER. Is there objection to House Bill 568 going over in its order? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constitutent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS DROPPED FROM CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 639, on second reading, entitled:

An Act to amend section three hundred eleven and further to amend section three hundred thirteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regula-

tion of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" to require the computation and setting up of unearned premium and loss reserves by all insurance companies except life insurance companies

be dropped from the Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 640, on second reading, entitled:

An Act to amend section two hundred six by adding a new subsection (f) and section five hundred sixteen and further to amend subdivision two of subsection (b) of section two hundred two and add a new subdivision two and one-tenth thereto subdivision eleven of subsection (c) of section two hundred two and to add a new subdivision eleven and one-tenth thereto and subsection (b) of section five hundred thirty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire marine and fire and marine and stock and mutual casualty insurance companies to make insurances against loss by reason of legal liability for damage to property or bodily injury to the person arising from the ownership or maintenance or use of aircraft automobiles or other vehicles and fixing capital and reserve requirements for such companies and for foreign insurance companies of the same types

be dropped from the Calendar.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 650, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding persons engaged in selling cemetery plots from the provisions of the act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 664, entitled:

An Act providing for the construction of a museum building and the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of lands adjacent to the Bushy Run Battlefield State Park and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 665, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the designation of State depositories and limiting the deposit of State moneys therein

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 700, entitled:

An Act to encourage the protection and development of forest resources in the Commonwealth in the interest of the owner and general public providing for the creation of various local advisory committees by the Department of Forests and Waters and the establishment of minimum standards of forest practice to have the force of law placing duties upon certain governmental officials and agencies and imposing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 715, on second reading, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonersident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possession or enjoyment at or after death changing the provisions for rate of tax debts and deductions the computation of tax on life estates or estates for years the assessment of tax on future estates the lien of taxes and commissions to be retained by registers of wills

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, entitled:

An Act defining and providing for the licensing and regulation of certain schools and classes conferring powers and imposing duties upon the Department of Public Instruction and the State Council of Education and prescribing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 767, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing Route 52043 in Potter County

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 768, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highway and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 774, entitled:

An Act to add section one thousand three hundred nine to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" requiring reimbursement of counties and of cities of the first class by the Commonwealth for expenses of voting by official military ballots

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act to amend clause (h) of section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by fixing the maximum gross weight of truck tractors in combination with semi-trailers having two axles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 786, entitled:

An Act authorizing departments boards commissions and agencies of the State government to make contracts for radio communication service and providing for the payment of service charges therefor

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. DENT. Mr. President, I do not want to hold up action on this bill until tomorrow, because if we do it will be tantamount to killing the bill, but I just do not know what this bill intends by making "contracts for radio communication service and providing for the payment of service charges therefor," for a period of ten years in payment of services, so if the gentleman from Potter, Senator Berger, would tell me what it is all about, I would be glad to go along with him.

Mr. BERGER. Unfortunately, Mr. President, I neglected to put the magic words "by request" on this bill. However, as I understand it, it is to permit state policemen primarily to enter into contracts for short waves transmission equipment, and that is all I know about it.

Mr. DENT. Mr. President, I have often questioned the condition of the state police communication services, and if this bill is intended for that purpose, we can hardly afford to vote against it, because everybody knows they are years behind, but it is my understanding that they can, under present law, buy or purchase any equipment they need.

If this bill specifically said "state police" that might be all right, but I do not know just how it could be restricted to the state police.

I now have a copy of the bill in front of me and I ask the gentleman from Potter, Senator Berger, whether he would be willing to go into sidebar conference with me for a moment.

(The Senate was at ease)

Mr. DENT. Mr. President, I am not going to raise any question concerning this bill tonight, but I do ask that the gentleman from Potter read the bill between now and tomorrow, because it does not specifically say "state police." It says:

"With the approval of the Governor any department, board, commission or agency of the state government may either separately or jointly enter into a contract or contracts for radio communication service for a period not exceeding ten years."

I think the gentleman from Potter had better look into this matter, because if it does obligate the Commonwealth to pay an unlimited amount of money for services, I do not know whether we should approve it or not.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1258, entitled:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and

property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. GOURLEY asked and obtained unanimous consent to address the Senate.

Mr. GOURLEY. Mr. President and members of the Senate, I might be out of order—I have not had a great deal of experience—but I have become somewhat the guardian angel of Senate Bill 548, which is commonly known as the chattel mortgage bill. That bill was referred to the Committee on Judiciary General in the Senate on March 19 and reported as committed March 27; it passed first reading March 27; it went over in order March 28 and March 29; it went over in order April 2, 3, 4 and 5; it was amended on April 9 and went over in order April 9; it was recommitted to the Committee on Judiciary General on April 10; it was rereported from the Committee on Judiciary General, as amended, April 17; it went over in order on April 18 and 19; it was amended on April 23; it went over in order April 23 and 24 and was recommitted to the Committee on Judiciary General on April 25.

It is my understanding that this bill was released from the Committee on Judiciary General today. I realize it does not appear on our Calendar. I believe every member of the Senate is acquainted with the terms and provisions of this bill. It has not been changed in any respect from what it was when it was recommitted on the last occasion.

I realize, Mr. President, that under Senate Rule 17 every bill must be read at length on three different days. I know that under Senate Rule 29, with the consent of a majority of the members of the Senate, it is possible to dispense with any rule of the Senate.

I would like this bill to be presented to the members of the Senate at the earliest possible date for consideration and vote, whether the vote would be in the affirmative or in the negative.

MOTION THAT READING OF SENATE BILL No. 548 BE DISPENSED WITH

Mr. GOURLEY. Mr. President, I therefore move, in accordance with rule 29 of the Senate, that the rule be dispensed with, that the bill should be on our Calendar, and I ask that the bill be read for the second time for the consideration of the Senate.

The PRESIDENT. In order to accomplish the desire of the gentleman from Washington, Senator Gourley, the Chair suggests that the gentleman ask unanimous consent to have the bill read at length because the Constitution, which can not be waived, requires that every bill be read at length on three different days.

Therefore, if there is no objection, the gentleman from Washington could, change his motion and move that the bill be read at length, even though it is not printed and on the desks of the Senators. We can not waive the Constitution of Pennsylvania.

MOTION WITHDRAWN

Mr. GOURLEY. Mr. President, I withdraw my previous motion.

BILL ON SECOND READING

Mr. GOURLEY. Mr. President, I move that Senate Bill 548 be read for the second time and that unanimous consent of the Senate be given for that purpose.

Mr. COLEMAN. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 24, entitled:

An Act to amend subsection (a) of section two of article two of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by making the mayor of any such city eligible to such office for one successive term.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 66, entitled:

An Act making an appropriation to the Department of Forests and Waters for improvement and development of the Ports of Philadelphia Chester Pittsburgh and Erie

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 67, entitled:

An Act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health

Laboratory the construction of buildings the improvement furnishings and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 68, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State Parks and for the development thereof and for stream channel improvement and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owner for payment by the Commonwealth of a share of the cost of preparing plans and estimates for the construction of plants for the treatment of industrial waste and for the payment by the Commonwealth of a share of the cost of constructing such plants for conducting experiments and research to determine approved methods for controlling stream pollution and treating acid mine drainage and industrial waste and for the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 139, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers the Pennsylvania Soldiers' Orphan School the Thaddeus Stevens Industrial School the Pennsylvania Oral School for the Deaf at Scranton the Pennsylvania State College historical monuments markers or properties in the custody of the Pennsylvania Historical Commission for purchase or condemnation of land for construction of new buildings for repair and alteration to and replacement of existing buildings and for architectural and engineering services for fixtures equipment sewage treatment plants water supply and electrical and other facilities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No 148, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for the carrying the same into effect

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 156, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 163, entitled:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 231, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 273, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," making counties in which deceased service persons are buried liable for the cost of headstones in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 326, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of building a protective wall along the bank of the Ohio River roof repairs steel beam supports and renewal of piping in power plant and one new generator all at the Dixmont Hospital Dixmont Allegheny County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 328, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital Dixmont Allegheny County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 332, entitled:

An Act to reenact and further amend the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 301), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth, in counties having a population of over two hundred thousand and under one million, and to provide the time of paying the same," extending the same to counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for the violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 340, entitled:

An Act to reenact and amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 646), entitled "An act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class," extending the same to counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 376, entitled:

An Act to further amend section six (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 322) entitled "An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships" as last amended by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General and the Attorney General to compromise and settle claims for bonus interest and penalties thereon in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 411, entitled:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act fixing the fees of the recorder of deeds in counties of the fourth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 509, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties

for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making husbands or wives liable for payment of per capita taxes levied against their wives or husbands and authorizing collection thereof from such husbands and wives.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" changing the conditions to borrow money for current expenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 585, entitled:

An Act to amend the title and sections one and two of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 476) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousands inhabitants as computed by the last preceding United States census" by making the act applicable to counties of the second class and changing and further fixing such fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 602. entitled:

An Act to further amend sections one of the act approved, the eleventh day of June, one thousand nine hundred and fifteen, (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 607, entitled:

An Act to amend section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Register of Wills

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 608, entitled:

An Act to further amend section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Clerks of Orphans' Court

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 636, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers property and duties transferring certain powers duties and employes from the Department of Public Instruction to the said commission abolishing the Pennsylvania Historical Commission and making available to the commission moneys appropriated or allocated to or for the use of the Pennsylvania Historical Commission the State Museum and the Archives division of the State Library.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 658, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting federated women's clubs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 675, entitled:

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 681, entitled:

An Act to further amend section one of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" extending the probationing powers of courts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 690, entitled:

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 716, entitled:

An Act to further amend sections one and eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 722, entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and fifteen

(P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" by extending said act to counties of the second class changing and further fixing the fees to be charged by said prothonotary

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 782, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second third and fourth classes for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act to further amend section two and to amend sections three and four of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" further regulating the returns of taxable property made by taxpayers under the provisions of said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officer fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined", creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission, and fixing qualification and compensation of members.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 856, entitled:

An Act to amend section one of the act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" by changing the fees to be allowed the said district attorney

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section and making such further limitation retroactive

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, co-operative agricultural associations having capital stock, State and County officers, boards, and departments; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the non-payment of taxes or municipal claims; and the reconveyance or private sale of such property," by further providing for the distribution of the proceeds of such reconveyance or sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 881, entitled:

An Act requiring boards of prison inspectors in counties of the fourth class to pay the premiums on all bonds required of employes appointed by the board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 888, entitled:

An Act to add section one thousand four hundred forty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" establishing maximum term contracts for transportation of pupils and requiring a bond for the faithful performance of such contracts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 890, entitled:

An Act to further amend section two thousand six hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," authorizing school districts of the second, third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city, borough, town or township.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 901, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and all other assistants and employes of certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr President, I have looked for House Bill 936 and, not finding it on my desk, I ask that it not be read for the first time.

The PRESIDENT. A bill has to be printed for the use of the members of the Senate; if Senate Bill 936 is not available, the Chair will sustain the objection of the gentleman from Westmoreland.

Is it on the desks of the Senators?

(The Senate was at ease.)

Mr. DENT. Mr. President, I have now read the bill and it confirms my suspicion; it is a very nasty piece of legislation and I can not do any thing about it.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 936, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REQUEST THAT HOUSE BILL No. 936 GO OVER IN ORDER

Mr. BARR Mr. President, I ask unanimous consent that House Bill 936, on first reading, go over in its order

Mr. GELTZ. I object, Mr. President. The bill has been read for the first time. The objection is too late.

Mr. BARR. Mr. President, it is not my idea to be nasty about this thing, but as the Chair knows, we are discussing House Bill 936, which we had one minute to read, and yet apparently the bill has passed first reading already.

The PRESIDENT. House Bill 936 was read for the first time.

Mr. DENT. We bow to the inevitable.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 986, entitled:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 868) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act to amend section six hundred two point one of article six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the sale of land or any interest therein

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act approved the seventh day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in city housing projects in redevelopment areas as herein defined either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1131, entitled:

An Act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal government agency, parks, playgrounds, streets and other improvements and facilities and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 of and to add section 21.1 to the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1705), entitled "An act to promote public health, morals, safety, and welfare by providing for the supervision and encouragement of housing; creating a State Board of Housing, a departmental administrative board within the Department of Health; providing for the organization of the board, the appointment and removal of its members; enumerating its duties and powers, including the powers to conduct investigations, issue subpoenas, apply to courts for punishment of contempts, make orders, rules and regulations; prescribe forms, require reports, supervise the operations of limited dividends housing companies and housing authorities and their members and employes; acquire property by eminent domain for limited dividend housing companies; commence action to prevent violations of law and to surcharge members of authorities, supervise rental charged by limited dividend companies, charge fees for services; providing for the selection and removal of the board's employes, providing for appeals from its orders; and making an appropriation," by substituting the Department of Commerce for the Department of Health, eliminating the honorarium for members of the board, requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director, enlarging the board's general powers and the plans to be filed therewith, rescinding the provisions for selection and removal of the board's employes, to transfer the board from the Department of Health to the Department of Commerce, and making an appropriation.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies, corporate and politic, to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities, defining and providing for the exercise of their powers, and duties, including the acquisition of property by purchase, gift or eminent domain, the

leasing and selling of property, including borrowing money, issuing bonds and other obligations and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties and on certain State officers, boards and departments.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1135, entitled:

An Act conferring upon counties of the second class, power to enter upon private property and open and maintain drainage channels along county roads or highways; and providing penalty for interference with such drains or ditches.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Commission instead of the Department of Public Instruction

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1184, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by giving jurisdiction to the Municipal Court of Philadelphia County.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodies regulating the sale thereof and providing penalties for violation thereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, on the next bill, House Bill 1190, I would like to be heard instead of being railroaded. I do not find House Bill 1190 on my desk.

The PRESIDENT. The gentleman from Allegheny is never railroaded.

Mr. BARR. I am sure the bill is not on my desk. I am very sincere, and it is not on my desk. I have no idea what Frankenstein amendments were put in the bill. It was bad enough when it came over from the House but I think now it is about four times worse.

The PRESIDENT. If there is objection, and copies of the bill are not on the desks of the Senators, the objection is sustained.

(The Senate was at ease.)

POINT OF INFORMATION

Mr. GELTZ. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. GELTZ. Mr. President, is it necessary that copies of the bill be on the desk in order that it have first reading.

The PRESIDENT. The Chair rules that under the Constitution it is necessary. The Constitution requires that every bill must be reported from committee and must be printed for the use of the members of the Senate. The Chair rules that means copies of the bill must be on the desks, and readily available; otherwise the bill would not be ready for use of the members of the Senate.

Mr. GELTZ. May I call the Chair's attention to Rule 17 of the Senate, which provides:

"Every bill shall be read at length on three different days in open Senate. All amendments thereto shall be printed and laid on the desks of the Senators before the final vote is taken on the bill."

The PRESIDENT. Apparently the gentleman from Allegheny has not recently read the Constitution which, of course, has priority over Senate rules.

Mr. GELTZ. The ruling of the Chair is final, that copies of the bill must be on the desks in order for it to have first reading?

The PRESIDENT. That is correct.

The CHAIR calls to the attention of the gentleman from Allegheny article 3 section 2 of the Constitution of Pennsylvania, which the Chair will read for the information of the Senate:

"No bill shall be considered, unless referred to a committee, returned therefrom and printed for the use of the members."

Th words "printed for the use of the members" means that copies of the bill must be on the desks for the use of members; otherwise, in the opinion of the Chair, it would be meaningless.

Mr. GELTZ. If the Chair will read article 3, section 4, of the Constitution he will find it contains the same provision as the Senate rule.

The PRESIDENT. If the gentleman from Allegheny will wait just a minute the Chair will read that section of the Constitution.

(The Senate was at ease.)

The PRESIDENT. The Chair sustains the objection of the gentleman from Allegheny, Senator Barr.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1190, on first reading, entitled:

An Act empowering cities of the second class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; and for the reduction of taxes on real estate authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1194, entitled:

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in, and an endowment fund for, the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land, located in Ephrata, Lancaster County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1199, entitled:

An Act to further amend section four hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the preservation of certain records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1234, entitled:

An Act to further amend sections one and ten of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1267, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not other wise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act authorizing the laying out opening construction and maintenance of a State highway route in the County of Juniata and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act to further amend the title and section three of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled as last amended "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania State Police: authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police, and defining their powers and duties; providing for the investigation of the cause, prigin, and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 63, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating the necessity of proclaiming the names of persons elected to certain offices

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 79, entitled:

An Act to facilitate vehicular traffic between the eastern section of the Commonwealth and the ports on Lake Erie by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County to a point at or near the City of Erie and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to copoerate with the commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 94, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 123, entitled:

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further fixing the fee for filing nomination petitions for the office of county auditor in counties of the eighth class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 138, entitled:

An Act authorizing the establishment construction and maintenance of limited access highways and local service highawys and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 276, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 288, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone and the farm where he was born and to provide for the control management supervision improvement preservation and maintenance thereof and making an appropriation

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No 293, entitled:

An Act providing for the appointment and expenses of a commission of nine persons to study revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 380, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" by redefining the scope of membership and territory

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 438, entitled:

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements prohibiting the sale of real property for the nonpayment of such claims for a certain period preserving the liens of such claims and providing for the extension thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act to amend sections one and two and to further amend section three of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344-No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and testify against each other in certain cases" authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried and to become surety on any bond bail or recognizance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 587, entitled:

An Act to amend section one hundred forty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of tax money through no fault of his own.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 780, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 870, entitled:

An Act to further amend section fifteen and to add section fifteen and one-tenth to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and to the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals under supervision of the courts of common pleas

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 892, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their power and duties conferring certain powers and duties on the Department of Banking and providing penalties" by further defining the membership of credit unions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 956, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 957, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 958, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 959, entitled:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-

seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any openng in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other States requiring cooperation with the Federal Government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activities by persons engaged in the administration of vocational rehabilitation and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1011, entitled:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2687) entitled "An act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect office buildings and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease" removing the authorization to contract for the erection of buildings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1089, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement development and maintenance of the plot of ground in the city of Erie Pennsylvania acquired for the location of the Flagship Niagara.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1235, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1279, entitled:

An Act to repeal the act approved the tenth day of April one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. DENT. Mr. President, I move that the Senate do now adjourn until Thursday, May 3, 1945, at 1:00 o'clock p. m., Eastern War Time.

Mr. COLEMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m., Eastern War Time until Thursday, May 3, 1945, at 1:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 2, 1945.

The House met at 2 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Eternal God who art the hope of the ends of the earth, we thank Thee for our nation. Enable us to be faithful to the principles for which it stands. Renew our faith in God The Father of all mankind and increase our devotion to the ideals of human brotherhood. For Jesus' sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, May 1, 1945.

The Clerk proceeded to read the Journal of Tuesday, May 1, 1945, when, on motion of Mr. GUTHRIE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. TATE for himself after 4 p. m. today because of illness in the family.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Agriculture to meet during the session of the House.

Mr. CADWALADER asked and obtained permission for the Committee on Counties to meet during the session of the House.

COMMITTEE REPORTS

Mr. McKINNEY from the Committee on Judiciary General reported as committed House Bill No. 967, entitled:

An Act relating to the lien of mortgages, defeasible deeds in the nature of mortgages, and confession of judgments; and protecting the lien of mortgages given by purchasers to sellers, if recorded within thirty days from the date of such mortgage.

Mr. O'CONNOR from the Committee on State Government reported as committed House Bill No. 1287, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and all other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the furnishing of light and heavy weight uniforms to the Pennsylvania State Police.

Mr. DALRYMPLE from the Committee on Appropriations reported as committed Senate Bill No. 103, entitled:

An Act making an appropriation to the Department of Property and Supplies for additions repairs and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 175, entitled:

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions.

Mr. GYGER from the Committee on Highways reported as committed Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets im-

posing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities person association or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" providing for and regulating the change of width grade lines or location of state highways in such cities the ascertainment and assessment of damages and benefits to abutting property in connection therewith and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures and making appropriations from the Motor License Fund

Mr. LEISEY from the Committee on Appropriations reported as committed Senate Bill No. 396, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation

Mr. FLACK from the Committee on State Government reported as committed Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by terminating interest on accumulated deductions on the date of separating from school service.

Mr. HENNIHAN from the Committee on Highways reported as committed Senate Bill No. 437, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the precedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation.

Mr. HENNIHAN from the Committee on Highways reported as committed Senate Bill No. 438, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania.

Mr. FOX from the Committee on Highways reported as committed Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

Mr. POLASKI from the Committee on State Government reported as committed Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

Mr. ELDER from the Committee on State Government reported as committed Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

Mr. REYNOLDS from the Committee on State Government reported as committed Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately three-tenth of an acre of land in the County of Delaware, upon which is erected the Chester Range Front Light, and ceding jurisdiction to the United States.

Mr. McKINNEY from the Committee on State Government reported as committed Senate Bill No. 695, entitled:

An Act to amend section twelve hundred nine of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times, and the salvaging thereof.

Mr. ROBERTSON from the Committee on State Government reported as committed Senate Bill No. 713, entitled:

An Act to amend sections three and five of Article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by making provisions for those who have

served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors.

Mr. TATE from the Committee on State Government reported as committed Senate Bill No. 734, entitled:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations.

Mr. McKINNEY from the Committee on State Government reported as committed Senate Bill No. 750, entitled:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated or new institutions and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used.

Mr. O'NEILL from the Committee on Appropriations reported as committed Senate Bill No. 775, entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties.

Mr. HUNTLEY from the Committee on Appropriations re-reported as amended House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park.

Mr. COHEN from the Committee on Appropriations re-reported as committed House Bill No. 894, entitled:

An Act to further amend section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" further regulating State reimbursements to school districts for vocational education.

Mr. KENNEDY from the Committee on Counties reported as committed Senate Bill No. 144, entitled:

An Act to amend section one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents in death and compensation cases; and prescribing penalties," by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States.

Mr. HABERLEN from the Committee on Counties reported as committed Senate Bill No. 528, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants.

Mr. READINGER from the Committee on State Government reported as committed Senate Bill No. 723, entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further regulating judicial review.

Mr. TURNER from the Committee on Appropriations reported as amended Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation.

Mr. KENNEDY from the Committee on Mines and Mining reported as amended Senate Bill No. 183, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method

Mr. LONGO from the Committee on State Government reported as amended Senate Bill No. 560, entitled:

An Act to amend sections two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L., 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classi-

fication of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Mr. READINGER from the Committee on State Government reported as amended Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P L 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further provisions for designation and selection of representatives for purposes of collective bargaining.

Mr. READINGER from the Committee on State Government reported as amended Senate Bill No. 725, entitled:

An Act to amend clause (F) of subsection (1) of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining and limiting unfair labor practices.

BILLS ON FIRST READING

Mr. SORG asked and obtained unanimous consent to have all bills reported from Committee as committed read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 103, entitled:

An Act making an appropriation to the Department of Property and Supplies for additions repairs and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 175, entitled:

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, person, associatiion, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act;" providing for and regulating the change of width, grade, lines or location of state highways in such cities, the ascertainment and assessment of damages and benefits to abutting property in connection

therewith, and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures; and making appropriations from the Motor License Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 396, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P L. 1043), entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by terminating interest on accumulated deductions on the date of separating from school service

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 438, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaed in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December thirty-first one thousand nine hundred forty-three to authorize housing authorities to cooperate with or act as agent of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately three-tenths of an acre of land in the County of Delaware upon which is erected the Chester Range Front Light and ceding jurisdiction to the United States

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 695, entitled:

An Act to amend section twelve hundred nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and

defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times and the salvaging thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 713 entitled:

An Act to amend sections three and five of Article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by making provision for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors.

And said bill having been at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 734 entitled:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 750 entitled:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated or new institutions and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 775 entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 144 entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 528 entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 723 entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practices and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the

board prescribing certain penalties" by further regulating judicial review.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 967, entitled:

An Act relating to the lien of mortgages, defeasible deeds in the nature of mortgages, and confession of judgments; and protecting the lien of mortgages given by purchasers to sellers, if recorded within thirty days from the date of such mortgage.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1287, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executives and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the furnishing of light and heavy weight uniforms to the Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ANNOUNCEMENT

The SPEAKER. The carnations on the desks of the Members have been arranged for and given to you by the Secretary of Highways, John U. Schroyer.

ST. BASIL HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Senior Class of St. Basil's High School who are visiting the Capitol as guests of the gentleman from Sullivan, Mr. Baumunk. They are accompanied by their teachers. The group comes from Dushore and Cherry Township.

We are pleased to have you as our guests and hope you will come back again.

RESOLUTION

RECALLING HOUSE BILL No. 528 FROM THE GOVERNOR

Mr. DENNISON offered the following resolution which was read, considered and adopted:

In the House of Representatives, May 2, 1945.

Resolved, (if the Senate concurs), That House Bill No. 528, Printer's No. 232, entitled "An act to repeal subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329)," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 40, 191, 490, 344, 508, 543, 602, 624, 626, 662, 748, 749, 759, 760, 761, 764, 765, 766, 770.

House Bills concurred in by Senate 48, 69, 86, 87, 88, 90, 91, 141, 142, 145, 147, 151, 152, 153, 157, 158, 160, 168, 174, 214, 215, 324, 325, 386, 399, 434, 482, 494, 815, 817, 821, 826, 868, 869, 844, 992, 1052, 1085.

Amended Senate Bills non-concurred in by Senate, 563.

QUESTION OF PERSONAL PRIVILEGE

Mr. SALUS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. SALUS. Mr. Speaker, I rise in the hope that the Members of the House will indulge me for a few moments. The session of the Legislature is about to close, and at the request of the Members from Philadelphia on the Republican side I have been asked to say to the membership of this House, both Democrat and Republican, that we appreciate the cooperation that we have received in the passing of many pieces of legislation which will no doubt in the future be of great value to the City of Philadelphia. We appreciate the cooperation of our friends from the counties who stood loyally by us and helped us through with our legislation. We also appreciate the real cooperation which we received from our Democratic friends from Philadelphia. I pay special—I don't know what to say, but special attention to Mr. Tate of the Democratic organization in Philadelphia who cooperated with our Philadelphia delegation in many of these bills. You know we in Philadelphia, regardless of the fact as to whether we are Republicans or Democrats, we love our city, and when the time

comes when there is legislation or any effort made to benefit the City of Philadelphia, we work, we cooperate.

That applies generally and in this House during this administration or this session I want to say that I think the cooperation was one hundred per cent perfect.

We differ on things of course for solely political reasons. That of course we expect. We expect Democrats to follow their program and we expect the Republicans to follow their program. That statement applies to all the Members of this House, particularly on the Democratic side.

Unfortunately I have to make reference to something that happened on the Democratic side of the Senate. We have one member over there who when various pieces of legislation that this House passed by the cooperation of Democrats and Republicans, took it upon himself to get up on the floor of the Senate and for a considerable length of time malign our good city. It was maligning in language that could only come from a graduate of what is known as the school of Billingsgate. In order that all the Members may know what this school is, Billingsgate is a fishmarket in London known to have among its inhabitants the most foul-mouthed and slimy people in the world. They have gotten that reputation for a century throughout the world. Their language is so foul that even the fish can't stand for it and when they are through with their day's work the fish bow their heads in shame, and the slime that comes from the fish is in the mouths of the denizens of Billingsgate, and this particular Senator must certainly have been a graduate of that institution.

I have made it my lifetime effort not to malign any person individually. For that reason I do not propose to use the Senator's name. I thing he will know and I think everybody else in the Legislature will know whom I mean, but the outside public does not, and I hope they will not.

Now, for the benefit of the Members from the country and also for some of our Philadelphians, I want to just tell the Members of this House who the men are that are controlling the interests of Philadelphia, particularly in the County of Philadelphia.

We start out with the Mayor, Bernard Samuel. Let me tell you who he is. Bernard Samuel is the Manager and has been for many years, while in the position of Mayor of the City of Philadelphia, of the firm of Biddle, Whelen and Company, one of the largest brokerage houses in Philadelphia. Mayor Samuel was Chairman of the Finance Committee and President of our City Council for many years. He today is the Mayor of our city, and notwithstanding that he is a Republican, meets with the general approbation of the Democrats.

The President of Council is Hon. Frederick Garman, for many years a well known public accountant. We formerly had Edwin R. Cox, Chairman of the City Council, who is now Director of Wharves and Docks. Edwin R. Cox went with the Atlantic Refining Company when he was a boy and was with them for fifty-two years and rose to first vice-president of the Atlantic Refining Company. When he was placed on pension under their rules and regulations, he became the Director of Wharves and Docks of the City of Philadelphia.

Among other councilmen is Judge Mahwinney, who quite recently was elected to one of our Common Pleas Courts.

Another Councilman is Charles Pommer, who is now Recorder of Deeds in Philadelphia.

We have in our City Council today six men who were former Members of the Legislature. We have elected to our City Council at the present time George Maxman, who is now in the armed forces in Africa. We have John J. McDevitt who is also in the armed forces, I believe in England. The rest of the Councilmen—I hate to take up your time, but I want the people in the country to know that we in Philadelphia are under the control of men standing high in the community, men who are there because of their integrity and honesty. We have Joseph F. Milligan, who is a funeral director, we have Louis Menna, a former Member of the Legislature who, besides being a councilman is an automobile salesman. We have also Harry J. Trainer, who was formerly in the brewery business and now is a member of Council. Then we have Phineas Green, an ex-Member of the Legislature and James H. Irvin, funeral director; L. Wallace Egan, lawyer; we have George Maxman who is a lawyer; we have Louis Schwartz, who is a real estate dealer and an ex-Member of the Legislature; we have William A. Kelley, who is a lumber merchant; we have Robert S. Hamilton who is in the stationery business and an ex-Member of the Legislature; we have John J. McDevitt, a lawyer and ex-Member of the Legislature, and now in the armed forces. We have Eugene J. Hagerty, who is a Democrat and in the insurance business and an ex-Member of the Legislature. We have Clarence K. Crossan, who is an engineer and a prominent builder in Philadelphia and the owner of Young's Pier in Atlantic City. We have George D. Mansfield, who is a director of the Pennsylvania Salt Manufacturing Company. We have Cornelius S. Deegan, Jr., who is in the real estate business.

This is the membership of our council; it is a membership that we are proud of, it is a membership that represents the fidelity, intelligence and the efforts of the Republican party in Philadelphia. These men have been elected many, many times. They have the confidence of the people in Philadelphia. They are twenty Republicans to one Democrat.

I am delivering this mesage mostly and solely for the purpose of letting our Members, particularly from the counties on this side know that when they were voting and when they did vote to give Philadelphia council a right to run their own business in their own way they were voting for men of the highest integrity and the highest intelligence that any city or county could be proud of.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 31, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land, and for the construction of a Governor's Mansion.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 61, entitled:

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 373, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops, managers and owners of barber shops, barbers, teachers of barbering, students and apprentices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. CHUDOFF. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise? We are on the calendar.

Mr. CHUDOFF. Mr. Speaker, before you started on the calendar I tried to get your attention.

The SPEAKER. We had started the calendar before the gentleman from Philadelphia rose. For what purpose does the gentleman now rise?

PARLIAMENTARY INQUIRY

Mr. CHUDOFF. I rise to a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CHUDOFF. Is there anything in the Rules of the House to prevent maligning of the Members of the Senate on the House floor?

The SPEAKER. The gentleman has a right to object.

Mr. CHUDOFF. Mr. Speaker, I, therefore, move that the remarks of the gentleman from Philadelphia, Mr. Salus, maligning a Democratic Member of the Senate on the floor of the House be expunged from the record.

The SPEAKER. That motion cannot be entertained at this time because it is not a privileged motion.

The Chair will continue with the calendar, bills on first reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 393, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossing of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in

public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, by agreement with the Majority Leader motions to discharge committees will be entertained by the Chair at six o'clock. I would ask the Members who have the motions to discharge committees to remember the hour, six o'clock. I would also ask the Members who have motions to discharge committees to come to the desk and inform me as to the bill they intend to try to discharge the Committee so that I can arrange the order of recognition with the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. SALUS asked and obtained unanimous consent to address the House.

At six o'clock we have an appointment for our Philadelphia delegation to go over to Hershey to entertain ourselves, and the arrangements have already been made. I am hoping that Mr. Andrews can take another hour.

Mr. ANDREWS. Mr. Speaker, I can only select an hour agreed upon with the majority leader. I will be very pleased if the Majority Leader, instead of six o'clock would select the hour of five in order that the gentlemen from Philadelphia might properly regale themselves. If the gentleman from Philadelphia considers a trip to Hershey more important than the business of this House he is entitled to his own ideas.

The gentleman from Philadelphia will have to fast since the hour of six for motions to discharge committees remains the time agreed upon.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for thirty minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 48.

An Act to further amend section four hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties

imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting trailers and semitrailers from registration when used exclusively for the business of farming

HOUSE BILL No. 69.

An Act making an appropriation to the Trustees of the University of Pennsylvania

HOUSE BILL No. 86.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

HOUSE BILL No. 87.

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

HOUSE BILL No. 88.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property

HOUSE BILL No. 90.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

HOUSE BILL No. 91.

An Act makng an appropriation to the National Farm School at Doylestown Pennsylvania

HOUSE BILL No. 141.

An Act makng an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

HOUSE BILL No. 142.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

HOUSE BILL No. 145.

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

HOUSE BILL No. 147.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

HOUSE BILL No. 151.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

HOUSE BILL No. 152.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

HOUSE BILL No. 153.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

HOUSE BILL No. 157.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the support of the School of Veterinary Medicine

HOUSE BILL No. 158.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

HOUSE BILL No. 160.

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto

HOUSE BILL No. 168.

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

HOUSE BILL No. 174.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five

HOUSE BILL No. 214.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

HOUSE BILL No. 215.

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania

HOUSE BILL No. 324.

An Act making an appropriation to the Pennsylvania Historical Commission for the improvements of the Daniel Boone Homestead

HOUSE BILL No. 325.

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

HOUSE BILL No. 386.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission to further complete restoration and preparating for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

HOUSE BILL No. 399.

An Act making an appropriation to the Pennsylvania Historical Commission for essential repairs and other steps immediately necessary to preserve certain structures at the Ephrata Cloister an important historical shrine belonging to the Commonwealth

HOUSE BILL No. 434.

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

HOUSE BILL No. 482.

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" by appropriating funds from the Motor License Fund for the construction of said bridge

HOUSE BILL No. 494.

An Act making an appropriation to the Local Government Commission to continue its work

HOUSE BILL No. 815.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

HOUSE BILL No. 817.

An Act making appropriations to the Department of Property and Supplies for the further restoration improvement and equipment of the Pottsgrove Mansion in the Borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission

HOUSE BILL No. 821.

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

HOUSE BILL No. 826.

An Act making an appropriation to the Department of Health to pay the costs of continuing its health programs in full under certain conditions and prohibiting the Department to accept Federal funds under certain conditions

HOUSE BILL No. 844.

An Act to amend section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act

HOUSE BILL No. 868.

An Act making an appropriation to the Pennsylvania Historical Commission for the construction of a driveway at the Ephrata Cloisters

HOUSE BILL No. 869.

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

HOUSE BILL No. 992.

An Act making an appropriation to the Pennsylvania Historical Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

HOUSE BILL No. 1052.

An Act authorizing the compromise and final settlement of claims and suits for the collection of inheritance taxes upon the estate of decedents and claims and suits for the escheat of such estates

HOUSE BILL No. 1085.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing Route 53073 in Schuylkill County

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 641 entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I would like to interrogate the Majority Floor Leader or the Majority Whip, or any one who can inform us as to the contents of the bill. I will take the liberty of doing it on second reading in order to save time.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I yield to the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker, I will endeavor to answer the questions of the gentleman from Allegheny, Mr. Brown. He said he wanted to know what the general purpose of the bill is. As I understand it, the purpose is to broaden the investments which may be made with trust funds.

Mr. BROWN. Am I correct in assuming, Mr. Speaker, that on page 7, fiduciaries as provided for in paragraph 3 may invest trust funds in any corporation that shall have total assets of fifty million dollars.

Mr. TURNER. That is correct, and if I may anticipate, the purpose of that as I understand was the belief of the people who prepared this bill, and those who were the sponsors of it you might say, felt that unless it was large corporations whose stock would be active, where you can get a ready market, where mostly they are listed on the stock exchange where you can tell something about the values, that it should be limited to that kind of corporations.

Mr. BROWN. I assume from paragraph 3 again that the total amount of assets would have nothing to do with the total amount of liabilities?

Mr. TURNER. That is correct, and the question is not a question of security being any better in a fifty million dollar corporation than it might be in a five million dollar corporation, but merely that there might be some yard stick to provide for corporations of size and thus relieve the opportunity of entering into investments in all manner of small corporations where it is difficult to follow matters of management that are involved in the financial affairs of the corporation.

Mr. BROWN. Therefore from a strict reading of the section, am I right in assuming that a corporation having assets of fifty million dollars with liabilities of sixty million dollars would be an insolvent corporation.

Mr. TURNER. That is right.

Mr. BROWN. And the fiduciary would be also entitled to invest in that insolvent corporation under this bill.

Mr. TURNER. That pre-supposes other questions involved.

Mr. BROWN. That could happen.

Mr. TURNER. It could happen but the fiduciary would be in the same position as any other investor.

Mr. BROWN. May I call attention also on page 5 to subsection 18.1 and also may I call the gentleman's attention to page 5 section 2 subsection 18.1 where the fiduciaries might invest in obligations of Municipal Authorities and so forth. Is that right?

Mr. TURNER. Yes, Mr. Speaker.

Mr. BROWN. As I understand it a good many of the Municipal Authorities are not obligations of the municipality?

Mr. TURNER. That is correct. Under the law they cannot be direct obligations.

Mr. BROWN. Therefore the faith and credit of the Municipal Authority would be no better than the Authority itself.

Mr. TURNER. That is correct in one sense.

Mr. BROWN. May I ask in what sense am I incorrect.

Mr. TURNER. It is correct that the assets, or the value of the bond is no greater than that of the Authority itself, except this, that in the Municipal Authority the bonds must rest alone upon the revenues, and in Municipal Authorities the kind of Authority generally has to be in its very nature something like a water company or a sewer system, or it would have to rest upon a lease between the municipality and the Authority. The property leased being such property that would return a revenue, otherwise under one of the early cases, Gemel versus Calder, it would be unconstitutional.

Mr. BROWN. I thank the gentleman from Delaware.

Mr. Speaker, I would ask that this bill go over. I think it is a dangerous bill, and it should have some study. I have not had the opportunity to study the bill and I would ask that it go over. It is a dangerous bill. It may be that we can amend it to meet what the sponsors desire to do. I wonder if the gentlemtn from Delaware would have any objection?

Mr. TURNER. Mr. Speaker, I do object. On the question of amending this bill, as I see it, either we feel that the investments which trust funds may enter into should be broadened, that is, the base should be broadened from mortgages and things of that character to stocks and bonds as set forth in the bill, or we do not. I do not see how it would be possible to make an amendment that would carry out that idea. This bill has been in the Senate for some time, the bill I know has been the work of a great many different men interested in trust investments, and therefore I feel that at this late hour we should not pass over the bill at this time.

I have no authority on this side of the House to say that on behalf of the Republican majority, but I do believe that the bill should not be passed over. It was passed over yesterday, and I don't believe it should be passed over again. I realize there is a difference of opinion among some parties as to the advisability of legislation of this kind, but aside from that I do not see that there is any angle that could be settled by amendments.

Mr. BROWN. I thank the gentleman. May I interrogate the Majority Whip?

The SPEAKER. Will the gentleman from Elk, Mr. Sorg, permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. May I ask the Majority Whip if he would agree to pass this bill over in its order for a time to give us opportunity for a conference between the Majority Whip and such Members as might be interested in the bill?

Mr. SORG. I would like to inquire of the gentleman whether he has in mind passing the bill over for the legislative day, or whether it could not be passed over temporarily so that the conference might be held sometime before this particular session adjourns?

Mr. BROWN. Just as soon as I can proceed to the Senate to see the sponsor of the bill. The bill was not in print yesterday—at least it was not on my desk. I only got the bill this morning from the Senate which I understand did not convene until three o'clock. I am sure that the gentleman from Delaware and the gentleman from Elk as lawyers would not go along with a proposition

to allow trust funds to be invested in corporations simply because they have fifty million dollars of assets. We have met that situation in Pennsylvania. I am sure they realize that my suggestion is made in good faith and not for the purpose of delaying the bill at all, but to see if there are not some amendments that could be made that would bring the bill in line so that we can protect trust fund investments.

Mr. SORG. Mr. Speaker, I agree under the circumstances that the bill be passed over temporarily.

BILL PASSED OVER

There being no objection

Senate Bill No. 641, Printer's No. 483

was passed over temporarily at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 656 entitled:

An Act to amend clause (a) of section three hundred one clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 657 entitled:

An Act to further amend clauses (a) (b) (c) (f) and (g) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by the act and changing provisions relative to entry of judgment on agreement award and claim petition.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 658 entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 718 entitled:

An Act to add section three hundred six and one-tenth to the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) entitled "An act to further reenact and amend the act approved the second day of June onne thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties changing maximum and minimum rates periods total amounts and aggregate of compensation changing the system of computation of wages for compensation purposes changing practice and rules of evidence defining earning power after accident authorizing the board to terminate compensation in certain cases changing the classes of dependents entitled to compensation in case of death increasing powers and duties of the board and imposing additional penalties authorizing the department the board and the referees to approve compromise agreements in certain cases and generally amending clarifying and changing the provisions of said act" providing for payment in second injury cases and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 583 entitled:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining

and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 4, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured, and dependent relatives, members of families, and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 16, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 17, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its

regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 32, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase, condemnation or gift, the construction and equipment and furnishing of any buildings, and the alteration, removal, remodeling or replacing of existing buildings, to be used for barracks and training facilities for the Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 49, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 60, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 73, entitled:

An Act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for postwar repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 111, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries, for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 166, entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania, for the purpose of replacing and renewing certain equipment and machinery.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of California State Teachers' College to acquire a tract of land for the use of California State Teachers' College and making an appropriation therefor.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 468, entitled:

An Act authorizing the alteration improvement and construction of buildings equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 473, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 480, entilted:

An Act making an appropriation to the Pennsylvania Historical Commission for the furnishing of "Pennsbury Memorial."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters with the approval of the Governor to acquire certain tracts of land for the use of said department and making an appropriation therefor.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 578, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen and section nine hundred seventy-eight point one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealng certain acts and parts of acts relating to elections" by eliminating certain filing fees required by said act.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 642, entitled:

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh and providing for the same as a post-war project.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 643, entitled:

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 646, entitled:

An Act re-appropriating for additional purposes moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting constructing and equipping an auditorium at Indiantown Gap.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 649, entitled:

An Act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 652, entitled:

An Act to amend the title and further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" extending the provisions thereof to the Pennsylvania State Guard and making changes with respect to advance in grade of retiring officers and enlisted men.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 653, entitled:

An Act to amend the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select procure furnish and award certain decorations medals and badges" providing for additional decorations medals and badges and changing the procedure for awarding the same

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 666, entitled:

An Act to further amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" by changing the name of the Pennsylvania State Guard to Pennsylvania Guard and increasing the amount of allowances permitted for officers uniforms and equipment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

An Act to further amend section one of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" as amended by eliminating the requiring that designations assigned by the Secretary of Highways shall be the official designations for all purposes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 687, Printer's No. 424,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 701, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 214), entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien; providing for the payment of the cost of such acquisitions; and making an appropriation," by authorizing the Departmene of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt, interest and costs due the Commonwealth.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 726, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College to acquire a tract of land for the use of Millersville State Teachers College and making an appropriation therefor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 745, Printer's No. 459,

was passed over at the request of Mr. HAUDENSHIELD.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 746, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college or the State Farm Products Show Commission any properties acquired by it from The General State Authority which are being used by such land grant college or such commission and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1, Printer's No. 710.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1 entitled: "An act to amend the title and certain sections and to add certain new sections to the act. approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled 'An act to preserve and improve the purity of the waters of the Commonwealth * * * *.' by changing the definitions of 'establishment' and 'industrial waste' by changing penalties for violations, and requiring prosecutions to be instituted or approved by the Attorney General, by prohibiting the discharge of silt into any waters of the Commonwealth, and regulating the discharge of acid mine drainage into waters thereof; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening, reopening or extending coal mines, by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or rights of ways, and the acquisition or construction of pipes, conduits, drains or tunnels and pumps and pumping equipment; and providing for the payment of the costs thereof by the Commonwealth."

Respectfully submit the following bill as our report:

Weldon B. Heyburn,
Frank W. Ruth,
J. Leo Thomas,

(Committee on the Part of the Senate.)

Charles H. Brunner, Jr.
Herbert P. Sorg,
Reuben E. Cohen,

(Committee on the part of the House of Representatives.)

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of "establishment" and "industrial waste" by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans of drainage and disposal of industrial waste and acid mine drainage before opening reopening or continuing the operation of coal mines and the changing of approved plans by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts, magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" is hereby amended to read as follows

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts [magistrates aldermen and justices of the peace] in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder [and] providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board

Section 2 Section one of said act is hereby amended to read as follows

Section 1 Definitions Be it enacted etc That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" shall be construed to mean the Sanitary Water Board in the Department of Health or its duly constituted successor

"Establishment" shall be construed to include any industrial establishment mill factory tannery paper or pulp mill garage oil refinery oil well boat vessel mine coal mine coal colliery breaker or coal processing operations not including dredging operations within the limits of a stream quarry and each and every other industry or plant or works in the operation of which industrial wastes are produced

"Industrial waste" shall be construed to mean any liquid gaseous or solid substance not sewage resulting from any manufacturing or industry or from any establishment as herein defined which causes pollution as hereinafter defined and silt coal mine solids rock debris dirt and clay from coal mines coal collieries breakers or other coal processing operations

"Institution" shall include healing preventive mental health educational correctional and penal institutions almshouses and county and city homes operated by the

State or any political subdivision thereof and whose sewage is not admitted to a public sewer system

"Municipality" or "municipal" shall be construed to include any county county authority municipal authority city borough town township school district and institution as above defined

"Person" shall be construed to include any person copartnership association or private corporation

"Pollution" shall be construed to mean noxious and deleterious substances rendering unclean the waters of the Commonwealth to the extent of being harmful or inimical to the public health or to animal or aquatic life or to the use of such waters for domestic water supply or industrial purposes or for recreation The Sanitary Water Board shall determine when the discharge of any industrial waste or the effluent therefrom after treatment or sedimentation constitutes pollution as herein defined and shall establish standards whereby and wherefrom so far as reasonably practicable and possible it can be ascertained and determined whether any such discharge does or does not constitute pollution as herein defined

"Sewage" shall be construed to include any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals

"Waters of the Commonwealth" shall be construed to include any and all rivers streams creeks rivulets lakes dammed water ponds springs and all other bodies of surface and underground water or parts thereof whether natural or artificial within or on the boundaries of this Commonwealth

Section 3 Section three hundred two of said act is hereby amended to read as follows

Section 302 Existing Industrial Waste Discharges All persons who at the time of the passage of this act are discharging industrial waste into any of the waters of the Commonwealth shall discontinue the discharge of such industrial waste into said waters [or into any municipal sewer system] on notice from the board when after due investigation the board shall declare the discharge of such industrial waste is or may become inimical or injurious to the public health or to animal or aquatic life or prevent the use of waters for domestic industrial or recreational purposes Provided That any discharge that is inimical and injurious to the public health or to animal or aquatic life or to the use of the water for domestic or industrial consumption or recreational purposes shall nevertheless be deemed unlawful and a nuisance whether the board shall so declare or not

Whenever the Sanitary Water Board shall determine upon cause shown that certain existing industrial waste discharges cannot be eliminated due to inability to procure necessary labor materials or equipment arising out of exigencies created by the present war in which the United States is engaged such industrial waste discharges shall not become unlawful until such time as the Sanitary Water Board shall set after the Board determines that such labor materials or equipment are available but the time so set shall in no event be more than one year after the board determines such labor materials or equipment are available

Section 4 Section three hundred seven of said act is hereby amended to read as follows

Section 307 Regulation of Establishments Erected or Opened or Reopened in the Future No person shall hereafter erect construct or open or reopen or operate any establishment which in its operation results in the discharge of industrial wastes which would flow or be discharged into any of the waters of the Commonwealth and thereby cause a pollution of the same unless such person shall first provide proper and adequate treatment works for the treatment of such industrial wastes approved by the board so that if and when flowing or discharged into the waters of the Commonwealth the effluent thereof shall not be inimical or injurious to the public health or to animal or aquatic life or prevent the use of water for domestic industrial or recreational purposes except when in the opinion of the board such industrial waste is not inimical or injurious to the public health or to animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and shall grant a permit for the discharge of such industrial waste into the waters of the Commonwealth But no permit shall ever be issued by the board authorizing the discharge of untreated industrial waste into the clean waters of the State as above defined Public notice of every application for a permit under this section shall be given by notice published in a newspaper of general circulation published in the county where the permit is applied for once a week for four weeks But any such permit shall be revocable or subject to modification and change by the board at any time thereafter upon reasonable notice served personally or by registered mail addressed to the last known post-office address of the holder of the permit and the owner or operator of such establishment may be required to install treatment works approved by the board for the treatment of such industrial waste or for the deposition of solids in such industrial waste in the manner and to the extent as the board may require The discharge of industrial waste into any of the waters of the Commonwealth from any such establishment contrary to the provisions of this section or without a permit or after the time fixed in the notice of the board when a permit is revoked or in violation of any modification thereof is hereby declared to be a nuisance and to be punishable and abatable as herein provided [The provisions of this section shall not apply to establishments existing at the date of the approval of this act which may hereafter be temporarily closed for a period not exceeding six months]

Section 5 Section three hundred nine of said act is hereby amended to read as follows

Section 309 Penalties [Any person who shall discharge any industrial wastes into the waters of the Commonwealth after the board shall have given notice to discontinue the same as provided in section three hundred two shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and a further fine of ten dollars per day for each day the offense is continued and in default of the payment of such fine and costs the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof may be imprisoned in the county jail for a period not exceeding sixty days]

Any person who shall [continue to] discharge any industrial waste or acid mine drainage into any of the waters of the Commonwealth contrary to the provisions of this act [after conviction in a summary proceeding as above provided] shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of any county in which industrial wastes were discharged or introduced into the waters of the Commonwealth or in which such industrial wastes continue to pollute such waters shall be sentenced to pay a fine of not less than [five] one hundred dollars nor more than [one] five thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year All prosecutions under the penal provisions herein set forth shall be instituted and prosecuted by the Attorney General or by and with his written consent

Section 6 Section three hundred ten of said act is hereby amended to read as follows

Section 310 Acid Mine Drainage [and Silt The] Except as hereinafter provided the provisions of this article shall not apply to acid mine drainage [and silt] from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known

It shall be unlawful and a nuisance to discharge or to permit the discharge of acid mine drainage (1) into "clean waters" of the Commonwealth which are being devoted or put to public use at the time of such discharge or (2) into "clean waters" of the Commonwealth unless the Commonwealth after the Sanitary Water Board has approved plans of drainage pursuant to section three hundred thirteen hereof and has set a reasonable time not to exceed one year within which such pipes conduits drains tunnels or pumps as may be necessary to receive such acid mine drainage at the point or points where such acid mine drainage is delivered as provided in this section shall be constructed and put into operation by the Commonwealth has failed to construct and put into operation the same within such time Provided That nothing in this amendatory act shall be construed to limit or affect the provisions of section seven hundred one of the act to which it is an amendment

Whenever the Commonwealth shall provide pipes conduits drains tunnels or pumps to transport and divert acid mine drainage such acid mine drainage shall be delivered to such pipes conduits drains tunnels or pumps at the place or location designated by the Sanitary Water Board after consultation with the Department of Mines and the person or persons operating the mine

Section 7 Said act is hereby amended by adding after section three hundred ten thereof three new sections to be known as sections three hundred eleven three hundred twelve and three hundred thirteen to read as follows

Section 311 Authorizing the Sanitary Water Board to Acquire Easements and Right of Ways by Purchase or Condemnation or otherwise Whenever in the opinion of the Sanitary Water Board the pollution by acid mine drainage of waters which were "clean waters" on or subsequent to the first day of January one thousand nine hundred forty-four can be prevented by diverting the discharge of acid mine drainage into polluted or unclean waters the Sanitary Water Board with the approval of the Governor and the Attorney General is hereby authorized and empowered in the public interest to acquire by purchase or eminent domain or otherwise easements or right of ways over under or through lands to be used for the transportation and diversion of the discharge of acid mine drainage into such polluted or unclean waters In such cases the Commonwealth shall pay the cost of the acquisition of such easements and right of ways and of such pipes conduits drains or tunnels and such pumps and pumping equipment as may be necessary or proper to transport and divert such acid mine drainage after it has been delivered to the pipes conduits drains or tunnels aforesaid and of the operation and maintenance thereof including such pumping of the drainage as may be necessary

Section 312 Condemnation Proceedings The Sanitary Water Board is hereby empowered to acquire by purchase or condemnation easements and right of ways for the purposes hereinbefore set forth

Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the Sanitary Water Board in accordance with the provisions of this act is hereby authorized and empowered to acquire by condemnation easements and right of ways deemed necessary or convenient to dispose of acid mine drainage so as to prevent the same from entering any clean waters of the Commonwealth in the manner hereinafter provided In such event application shall be made by the Sanitary Water Board acting through the Department of Justice or by the owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General or to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such easements or right of ways and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the easements or right of ways they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the board to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the board acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after final action on the report by the court the board acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the board shall be taken in the name of the Commonwealth

In addition to the foregoing powers the board and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass

Whenever the board decides to acquire any such easements or right of ways by condemnation as hereinbefore provided the board shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the board may proceed to obtain possession in the manner now provided by law

Section 313 Approval of Plans of Drainage Before any existing or new coal mine may be opened or reopened and before any existing coal mine may be continued in operation a plan of the proposed drainage and disposal of industrial wastes and acid mine drainage of such mine shall be submitted to the Sanitary Water Board and it

shall be unlawful to open or reopen any such mine or to continue the operation of any mine or to change or alter any already approved plan of drainage and disposal of industrial wastes and acid mine drainage from such mine unless and until the Board after consultation with the Department of Mines has approved such plan or change of plan provided however that this section shall not apply to the continuation of the operation of an existing mine until sixty (60) days after the effective date of this act

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year

Section 8 This act shall take effect immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, before the House takes up the active consideration of House Bill 1 Conference Report, which has been signed by the six conferees on behalf of the House and Senate, I would like to take this opportunity to thank the House conferees, the gentleman from Elk, Mr. Sorg, and the gentleman from Philadelphia, Mr. Cohen, for their very helpful and intelligent cooperation in the deliberations on this measure in the Conference Committee.

It was agreed that at the time the report was considered by this House that for future aid it would be most helpful to read into the record what the conferees believe is an expression of legislative intent, and accordingly I would like to make the following statement.

The objects of the amendments contained in House Bill 1, which are amendments to the so-called Pure Streams Law of June 22, 1937, P. L. 1987, are to accomplish, and I am sure they do accomplish, the following purposes:

First, the dumping of silt into the streams of the Commonwealth is definitely and permanently outlawed. Although by administrative action the Sanitary Water Board, backed by an opinion by the Department of Justice, had already decided that practical means existed for the elimination of silt by satisfactory methods, legislative sanction of the Sanitary Water Board's decision was considered both desirable and necessary. As a result, by eliminating silt as an exception to those things contained within the definition of "industrial wastes," silt now becomes a prohibited industrial waste just as are any other things contained in the definition.

Second, the civil remedies available under the 1937 Act have not been touched. The penal provisions of the act relating to industrial wastes have been changed so that the fines for violations are increased and the violations are made misdemeanors, rather than summary offenses. To achieve uniformity and consistency in the administration of the act, in so far as industrial wastes are concerned, the Attorney General is required to institute prosecutions, or to approve the institution of prosecutions by others. Furthermore, jurisdiction is specifically granted to the court of quarter sessions of any county where industrial wastes are discharged into waters of the Commonwealth to entertain criminal prosecutions, and also to the court of quarter sessions of any county in which such pollution continues.

Third, as is known, the Act of 1937 excepted from the definition of "industrial wastes," not only silt, but also acid mine drainage, until such time as practical means were known to exist to remove the polluting properties of such drainage. So far as is known at the present time, no practical or feasible means do exist. Therefore, in order to save the few remaining unpolluted streams in Pennsylvania, it was felt that the State should cooperate with industry, and to that end the amendments provide that where a clean stream can be saved by diverting acid mine drainage into an already polluted stream, the Commonwealth may construct and operate a drainage system to receive acid mine drainage and by-pass a clean stream.

Fourth, another thing which is accomplished by the amendments is to remove all doubt that the principles laid down by the Supreme Court in Pennsylvania Railroad, et al. v. Sagamore Coal Co., et al., 281 Pa. 233, in 1924, are preserved intact. The court in that case held that clean waters of the Commonwealth being put to public use could not be polluted by acid mine drainage. In Section 701 of the 1937 Act language was inserted to preserve, among other things, the doctrine of the Sagamore Case. The amendments not only preserve the same doctrine but also reaffirm the language of Section 701 of the 1937 Act.

Mr. LOVETT. Mr. Speaker, I feel that I should make this statement in regard to this report. In western Pennsylvania our waters will be just as dirty as they always were, and I hope that this is a step in the right direction and that someday we may clean up the waters of western Pennsylvania.

Mr. COHEN. Mr. Speaker, the report we have before us now, the much remodelled Brunner Bill, is, we believe, a legislative turning point coupled with an official turning point in Pennsylvania's attitude towards clean water. I have in mind, Mr. Speaker, that when the first anti-pollution legislation was passed in Pennsylvania in 1905 the enemies of clean streams at that time were the industrial wasters, who apparently were powerful enough at that session to get a very restricted definition of pollution written into the bill which defined pollution to be excretional refuse of humans and animals, and just to be sure that that restriction would not hurt them, they also had specific exemptions in respect to coal mine operations and tanneries. That was how Pennsylvania's anti-pollution legislation got its first start.

In 1923 there was additional legislation with respect to sewerage in the City of Philadelphia. The City of Philadelphia entered into an agreement with the state of Pennsylvania for future expenditures over a period of time to clean up its sewerage in Philadelphia and to assure that city of a better water supply. The result of that agreement and that legislation was that Philadelphia in two years fell down, stopped paying its share of the money, and of course today we have the answer of that failure to enforce or to live up to the agreement. It has meant that Philadelphia's water supply is probably as bad as any to be found in any part of the world.

There was no effort made by any administration until 1937 to put some real anti-pollution legislation on the

books, and in 1937 the LaRue Act was passed which gave us the first real anti-pollution legislation we ever had. Prosecutions were initiated and some result was obtained, but with the passing of that administration our government of Pennsylvania again refused to enforce the law. That policy of non-enforcement has remained until now, and we have the Brunner Bill which because perhaps of our legislative default in past years—and when I use the term legislative default I am speaking about this institution of the House and Senate of Pennsylvania which has resulted in a very bad situation in Pennsylvania, where we have streams which are now so polluted that there is no possibility of ever getting them cleaned up again. In a very short time the state is going to pay the bill for bad legislation, pay the bill for non-enforcement which permitted getting this acid mine drainage into the already polluted streams and the Commonwealth will have to spend as high as eight million dollars in the next two years, but I say that to save the streams of Pennsylvania that investment now is cheap.

All this might not have been necessary if the House and Senate in years gone by had done something about it, and if the State Government in years gone by had met the problem and done something about it at that time. So we are making concessions to the worst pollutors who did pollute, but we are telling those people that the time is passed for that sort of thing, that the game is up and that enforcement is on.

In order to insure that this pollution will stop we have taken the unusual means of concentrating the power of enforcement in the office of the Attorney General, which will mean that the Attorney General's responsibility directly under the Governor shall be that streams will no longer be polluted. In time we hope that the streams that can be saved will be saved and not only get a clean water supply for Philadelphia, but that it will be of some use for recreational purposes and for sportsmen and that throughout the Commonwealth communities will profit and gain benefit from the enforcement of the act.

I want to make one further statement and one further admonition, and that admonition is to the public generally which over the past forty years has done very little in the way of protesting, until in the past few years when their protests have finally reached the fever pitch which is necessary to get government to act. The public has finally gotten to the point where they say they will no longer stand for the pollution of our streams, and the admonition to the public is to maintain its vigilence and to continue its fight to keep our streams clean and to keep this law enforced in the years to come. If that is done legislators in future years will have to do what must be their duty and will have to do as we have done in this session, take a real forward step in attempting to clean up streams rather than alibi and compromise with the pollutors. I hope that the public will not find it necessary to condemn us in the future, but if the act is not enforced in the future, if our streams are not cleaned up and our people do not see to it that the streams are cleaned up, then my advice to this Legislature of Pennsylvania and to the public of Pennsylvania is to turn out of office the administration which does not enforce, which fails to enforce and refuses to enforce and put into office an administration who will at least attempt to raise the health level of our population by giving us clean water and by helping to further the recreational facilities in the State.

Mr. TURNER. I quite agree, Mr. Speaker, with the gentleman from Philadelphia that this is a great day in the history of the Commonwealth of Pennsylvania and in the history of this Legislature, and if you will bear with me I would just like to put upon the record for a few moments some remarks on this subject.

I think this is a clear demonstration that you cannot accomplish great reforms overnight; that it generally takes an aroused public sentiment and public interest before you can attain great objectives of reform in the State.

I think we would be remiss today if we failed to go back and pay tribute to the pioneers in anti-stream pollution, who for a great number of years have battled both in the Legislature and outside, not only to arouse public sentiment but to get legislation through here in order that laws might be placed upon the statute books that would in the end free our streams from pollution, that thereby we might make a great contribution to not only the cultural and the healthful side of the lives of our people, but also fundamentally to the broad economic good that will come from such legislation.

Perhaps the greatest pioneers were among those men who belonged to the organization known as the Izaak Walton League, and among the sportsmen of Pennsylvania who year in and year out met in the groups from time to time and urged that something be done in this respect. The early creators of the Department of Health and the Sanitary Water Board likewise have contributed their part. In the last ten to fifteen years Judge Ladner has battled valiently—I possibly am wrong in estimating ten to fifteen years, it might be thirty years—the Schuylkill Valley Restoration Society, the Women's Clubs of Pennsylvania, the women who belong to the garden clubs of Pennsylvania, conservation groups in Pennsylvania, all have in the past contributed their part in arousing public sentiment.

In 1935 we created in Philadelphia as a branch of the Commission on interstate Cooperation the Interstate Commission on the Delaware River Basin, and the Commission was created primarily, and its basic program was to clear the Delaware River of its pollution. During the intervening ten years the Commission has labored valiantly and hard to bring about conditions that we hope someday will arrive. And when this whole effort had, like the plowing of the field and the planting of the flowers and the cultivation of them, come to the point where it needed a hand to lift them above the surface and to enable them to grow into beauty, we had the good fortune to have a Governor of Pennsylvania who appreciated the value of conservation and the need for a program in Pennsylvania. We were also fortunate that the Governor of Pennsylvania had appointed an Attorney General who had the great vision and who had the courage to stand up and fight when the pressure was terrifically hard, as it has been on this legislation.

I also want to pay tribute to my colleague and friend Charlie Brunner, who introduced the bill in 1943. He took an awful beating then, but he went to work right after the Session of 1943, and I have known him to travel a good many miles to conference groups where this ques-

tion was discussed. He came back this Session and introduced his bill and it must be a tremendous satisfaction to him, as it is a satisfaction to me to know that almost ten years of work has at last been crowned with the victory which has been achieved in the passage of this legislation, and, I am sure, the adoption of this Conference Committee Report.

The newspapers of Pennsylvania too have borne a fine part. I know from time to time we have called upon the newspapers in the Philadelphia area to help us in our program. We have never known the time when they have not turned loose the best writing talent they could give us or by editorials they have supported our program. So, Mr. Speaker, I would like to leave upon this record today something of the record that has been made in the last thirty years of the movement which has culminated in so fine a victory. If I have omitted any of those who contributed I am sorry, but I think I have covered pretty well the field.

Mr. ELISH. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery, Mr. Brunner, permit himself to be interrogated?

Mr. CHARLES H. BRUNNER, Jr. I shall, Mr. Speaker.

Mr. ELISH. I would like to know whether this bill applies to drainage from open surface mines, the so-called strip mine drainage, mine drainage, that comes from that sort of mines.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, in reply to the gentleman's question I would say that this bill applies to any acid mine drainage, but it is particularly designed to apply to those bituminous mines in the western part of Pennsylvania where the State can extend the drainage facilities or can create drainage facilities to take it away from streams which would be polluted by that acid mine drainage, the drainage that comes from those mines, and divert it to a polluted area.

Mr. ELISH. What about alkaline drainage?

Mr. CHARLES H. BRUNNER, Jr. The bill does not apply to alkaline drainage; it only applies to acid mine drainage.

Mr. ELISH. I thank the gentleman.

Mr. HUNTLEY. Mr. Speaker, I don't see what good anti-pollution laws are going to be if you have no water to pollute. A few years ago our streams were full of water. We didn't recognize the evils of pollution, but after the water got low pollution became a stench right under your very nose. When the water was high it floated away and we paid no attention to pollution. Now our water level is getting lower every year, and if we do not give attention to the conservation of water and the erosion of the soil we will not have any water to save from pollution. The watersheds of this state are not protected; many of them are being cut away by people who want to take out wood products, and the rest of it is composed of those watersheds that are being stripped so that the water runs away and gets lower every season, and consequently there is pollution right under your very nose. The trouble with our pollution question is that the water is getting too low. Many of these water sheds could be protected through purchase by the State and by conservation of the timber so that it will conserve the water. I know of many water sheds that could have been bought for two dollars an acre that have been turned down by some of these people who have been shouting for conservation, and now you couldn't buy those same water sheds for fifty dollars an acre because they are being despoiled by woodsmen through taking out the wood products. If you want to conserve the waters of the State you will have to go up into the water sheds and fill the dams and save the timber and keep it from being cut down for such purposes, for rabbit pasture and shelter for birds. We have got to pay more attention to the conservation of the timber on these water sheds in order to protect our water, and I am calling this to the attention of these conservationists who have done a splendid job as far as they have gone, but now they must turn around and finish their job by saving the water sheds through the cultivation of timber.

Mr. GRANT. Mr. Speaker, I listened with great interest to the remarks and to the credit that was given to certain individuals by the gentleman from Delaware, Mr. Turner, and the thought occurred to me that it was just so much more of same material that has been fed to the citizens of the State of Pennsylvania for some time by the present administration and former administrations.

I can remember very vividly when we at the last session voted and defeated the Brunner Bill. I can remember the newspapers shortly after that time coming out and saying that the Governor of the State of Pennsylvania had made a sudden turn in that he had decided that he was going to do something about cleaning up the streams, but I just want to say at this time that I have seen nothing in the newspapers that has informed the people that presently silt has a commercial value. The thought occurred to me also that probably the reason we have the one provision that means anything in this pollution bill that we are going to pass on, is due to the fact that that silt presently has a commercial value.

When one takes into consideration the action that was taken by the other side of the House during the last session, an dthe outcome of this bill in its final form that we are to act upon you can only come to one logical conclusion, and that is that now that this silt has a commercial value his Excellency the Governor, who as we say is one of the finest politicians that this State has ever known, has seen an excellent opportunity to capitalize on that, to get some credit for the other side of the House, whereas in reality it is offering little or nothing to this aroused public opinion.

I say that Mr. Turner's and the other remarks that I have seen in the papers of the State of Pennsylvania remind me of a saying by Shakespeare: "In law that plead so tainted and corrupt, spoken with a gracious voice obscures the show of evil".

I say that this bill is nothing other than a grandstand play to the citizenry of the state of Pennsylvania, and had it not been for the fact that silt presently has a commercial value, would not have been passed today, because the selfish interests who control the present administration would not allow the bill to pass.

Mr. ANDRERWS. Mr. Speaker, we started on our jour-

ney with this bill animated by hope. We emerged sustained only by faith. This conference report concerning which there has been so much rejoicing, and incidentally I wonder whether we have not rejoiced about the cleansing of the streams before they have been cleansed and whether we shouldn't wait for our celebration until something happens. At any rate I say we started out with hope that we would implement a bill which would stand on its own feet in the face of all men, a bill which contained within its provisions powers sufficient for its own enforcement, powers resident in the body of the people. And what do we have? We have a bill which stands or falls upon the integrity of one man, and not any one particular man; just a man who happens to be Attorney General. There is nothing in this bill that means anything except as the Attorney General desires it to mean. This bill has no soul, this bill has no conscience, this bill contains within it no provision for enforcement. The conscience of this bill is the Attorney General, the soul of this bill is the Attorney General. Full powers of enforcement are resident in the hands of the Attorney General, and under this bill the people of this Commonwealth are powerless to cleanse any stream from silt if you happen to have an Attorney General who does not agree with it.

Now, Mr. Speaker, I watched the progress of this bill I have noted the high standard of the sponsor of this bill when he introduced House Bill 1, and I have witnessed the campaign of attrition that has produced the conference report. Members of the House, the conference report is all we have before us; all we can vote on is whether we are going to have somebody as Attorney General who is always going to be interested in preserving the purity of our streams, and that is all we have. And since that is all we have, that is all we can vote on.

I am in the absurd and ludicrous position of a legislator having to vote, but I hope the Attorney General continues to be firm in the faith and that the next Attorney General is equally firm in the faith. It is with reluctance, it is with regret that I face the present legislative situation. I cannot rejoice with the gentleman from Delaware, and I cannot rejoicee with the gentleman from Montgomery in the achievement of a triumph. They have given birth to a hope and have placed that little hope in the lap of an Attorney General.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I would like to call the attention of the gentleman from Cambria, Mr. Andrews, to one fact, that when this bill passed the House some months ago the very same provision which he now attacks, namely the placing of this power to prosecute in the hands of the Attorney General of the Commonwealth of Pennsylvania was at that time a provision of the bill, and I believe at that time he supported it.

This is a State-wide program, it is a measure designed to clean up the streams of Pennsylvania. The Sanitary Water Board is given certain powers under this bill, and the Attorney General has personally requested, and I think with just cause, the right to put across this state-wide program. To my knowledge no one in Pennsylvania has raised its voice in challenge of the sincerity of the present Attorney General of Pennsylvania, James Duff. The conference considered this question, and I do not think I breach any confidence when I say that we are fully aware that it does give the Attorney General of Pennsylvania unqualified powers to prosecute, but I bespeak on their behalf an unqualified belief that in the next two years under this measure the program will be begun throughout the State of Pennsylvania and that it is the best way to institute it.

May I say further that if it is the will of the 1947 Legislature to take away from the then Attorney General the power to prosecute and to allow the District Attorneys of the several counties to do so, it would probably be a good measure at that time, but experience has shown that the District Attorneys of the counties of Pennsylvania have for some reason or other neglected to institute prosecutions under the 1937 Pure Streams Law, and there is no reason to have any assurance that they will do so from now on. So long as we have a man in the office of Attorney General of this state who is an admittedly ardent and sincere conservationist I say to the Members of the Legislature and to the people of Pennsylvania, get behind him and give him an opportunity to perform, and I feel certain that he will.

Mr. ANDREWS. Mr. Speaker, I did not apprehend that the gentleman from Montgomery was going to throw in my teeth the fact that I voted for the bill, but if the gentleman from Montgomery will consult his memory he may recall that on various occasions we told him as he retreated from position to position that if he stood pat on his original position he could have from ninety to ninety-five votes on this side of the House to put over House Bill 1 in proper form. It was not my fault that counsel led him to retreat step by step. We were willing to follow him, I was willing to follow him. The compromises the gentleman has made in this session are compromises which we have accepted because of his leadership and because he has the majority end of this House.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Andrews,	Frost,	Lopez,	Reagan,
Baker,	Fullerton,	Lovett,	Reese, D. P.,
Barrett,	Gaffney,	Lyons,	Reese, R. E.,
Barton,	Gallagher,	Madden,	Reilly,
Baumunk,	Gardner,	Madigan,	Reynolds,
Bentley,	Gibson,	Mahany,	Riley,
Bentzel,	Goodling,	Matthews,	Root,
Boies,	Gore,	McAtee,	Royer,
Bonawitz,	Grant,	McClester,	Rudisill,
Boney,	Greenwood,	McCormack,	Salus,
Boorse,	Greer,	McDowell,	Schuster,
Boory,	Guthrie,	McKinney,	Serrill,
Bower,	Gyger,	McLanahan,	Shaffer,
Brancato,	Haberlen,	McMillen,	Sloan,
Brice,	Hall,	McNair,	Smith,
Brothers,	Hamilton,	McNally,	Snider,
Brown,	Hare,	Mihm,	Snyder,
Brunner, C. H.,	Haudenshield,	Mikula,	Sollenberger,
Brunner, P. A.,	Heatherington,	Miller,	Sorg,
Burns,	Helm,	Milliken,	Stockham,
Cadwalader,	Hering,	Mills,	Stuart,
Chervenak,	Herman,	Mooney,	Swope,
Chudoff,	Hersch,	Moore, C. E.,	Tahl,
Cohen,	Hewitt,	Moore, W. J.,	Tittle,
Corrigan,	Hoffman,	Moran,	Trachtman,

Costa,	Hoggard,	Moser,	Trent,
Coulson,	Hoopes,	Murray, M. L.,	Trout,
Coyle,	Hunter,	Murray, P. G.,	Turbett,
Cullen,	Huntley,	Myhan,	Turner,
Dalrymple,	James,	Nagel,	Varallo,
Dennison,	Jones,	Nelson,	Verona,
Depuy,	Kennedy,	O'Brien,	Wagner,
Dillon,	Kirley,	O'Connor,	Waterhouse,
Dix,	Kolankiewicz,	O'Dare,	Weiss,
Dougherty,	Komorofski,	O'Donnell,	Welsh,
Duffy,	Krise,	Owens,	Wescott,
Dye,	Kurtz,	Pentrack,	White,
Elish,	Lane,	Petrosky,	Wood, L. H.,
Erb,	Laughner,	Pettigrew,	Wood, N.,
Ewing,	Lee,	Pickens,	Worley,
Finnerty,	Leisey,	Polaski,	Wright,
Fleming,	Leonard,	Polen,	Yeakel,
Foor,	Lichtenwalter,	Powers,	Yester,
Fox,	Loftus,	Propert,	Fiss,
Freed,	Longo,	Readinger,	Speaker.

NAYS—17

Breisch,	Hennihan,	O'Neill,	Shoemaker,
Coleman,	Howells,	Regan,	Stank,
Flack,	Kline,	Reidenbach,	Stonier,
Getchey,	Munley,	Robertson,	Wachhaus,
			Watkins,

NOT VOTING—10

Cook,	Elder,	Modell,	Scanlon,
Cooper,	Green,	Rose,	Skale,
Dague,	Levy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 2, 1945.

Resolved, (if the Senate concurs), That House Bill No. 528, Printer's No. 232, entitled "An act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled 'An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds,' as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329)," be recalled from the Governor for the purpose of amendment.

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 660, entitled:

An Act to add section thirty-one point one to repeal in part section thirty-two and to amend section thirty-three of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of assembly" further regulating the sale of real property for the non-payment of tax and municipal claims where a city of the first class is the claimant providing for the discharge of all liens mortgaes ground rents estates and claims against such property by such sale and eleminating the right of redemption after such sales

Mr. ROOT. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 660

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 660, Messrs. Root, McCormack and Chudoff.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. STOCKHAM asked and obtained permission for the Special House Committee to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. SERRILL asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

HOUSE BILLS MADE SPECIAL ORDER

Mr. LICHTENWALTER. Mr. Speaker, I move that all House Bills on the third reading calendar be made a special order of business in their order until 6 p. m.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 374, as follows:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "'An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as amended by section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 294) is hereby further amended to read as follows

Section 5 Markers for Graves Headstones

* * * * *

It shall also be the duty of the county commissioners of such county upon or at any time subsequent to the death of any such deceased service person who at the time of his or her death had his or her legal resident in the County on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expenses in each case shall be borne by the county in which the deceased service person had his or her legal resident at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expenses shall not exceed the sum of fifty dollars ($50) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each such county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expenses in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet Provided however That in cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties heretofore set forth No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

Section 2 The provisions of this act shall become effective ten days after its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood N.,
Finnerty	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss, Speaker,
Freed	Lopez,		

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 496, as follows:

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Council for the Blind for the two fiscal years beginning June first one thousand nine hundred forty-five to be used for the improvement of the condition of the blind by supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain the required medical service for such training and placement and to meet expenses necessary and proper in the administration of this program.

Section 2 The State Council for the Blind is hereby authorized to adopt suitable rules and regulations to facilitate the operation of this act and in furtherance of its objectives to accept any grants or contributions from the Federal Government or any agency thereof

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boles,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751, as follows:

An Act to amend section two hundred thirty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the appointment of additional deputy registers of wills

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred thirty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 233 [Deputy] Deputies Register of Wills The register may appoint a deputy or deputies not to exceed two in number to officiate in his absence for whose conduct he and his sureties shall be accountable Such deputy or deputies shall be capable in law to do whatever by law appertains to the office of register

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,

Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nagel,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Varallo,
Dalrymple,	Jones,	O'Dare,	Verona,
Dennison,	Kennedy,	O'Donnell,	Wachhaus,
Depuy,	Kirley,	O'Neill,	Wagner,
Dillon,	Kline,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Wescott,
Elder,	Lane,	Polaski,	White,
Elish,	Laughner,	Polen,	Wood, L. H.,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 875, as follows:

An Act to further amend sections nine and seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissions of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" further clarifying the provisions thereof as to the discharge of liens against property by a tax sale and providing for the discharge of all tax liens and tax claims by the resale of lands purchased at such sales by the county commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissions of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby further amended to read as follows

Section 9 No sale shall be valid where the taxes and interest have been paid prior to said advertisement or where the taxes interest and costs have been paid after advertisement and before sale or when such taxes are not legally due and collectible Every such sale shall discharge the lien of every obligation claim lien or estate with which said property may have or shall become charged or for which it may become liable except no such sale shall discharge the lien of any ground rent municipal claim or tax remaining unpaid other than the taxes for which the property was sold or mortgage which shall have been recorded before such taxes became liens by return and docketing as herein provided and which is or shall be prior to all other liens except other mortgages ground rents municipal claims and/or other taxes Any real estate sold under this act may be redeemed by the owner his heirs or legal representatives or by any lien creditor or his heirs assigns or legal representatives or by anyone interested in said real estate for the benefit of the owner thereof at any time within two years after such sale by the payment to the county treasurers of the full amount which this purchaser paid to said treasurer for taxes interest and costs and fifteen per centum of the amount of tax in addition thereto In case the purchaser has paid any taxes of any kind whatsoever assessed and levied against said property the same shall be reimbursed to said purchaser before any redemption shall take effect No sale of seated lands for taxes under the provisions of this act shall be prejudiced or defeated by proof that there was personal property to be found on the premises sufficient to pay the taxes assessed thereon nor shall such sale be prejudiced by reason of the fact that such lands so assessed as seated lands were at the time unseated

When any real estate is so sold no lien whatsoever against such real estate shall be deemed to be discharged during the period for redemption but if such real estate is not redeemed then all liens against the same except such liens as are hereinbefore specifically saved shall be deemed to be discharged from the date that the right of redemption expired

When any real estate is so redeemed by a lien creditor or his heirs assigns or legal representatives or by any person interested for the benefit of the owner the county treasurer shall issue to the person redeeming such real estate a certificate stating the fact of such redemption a brief description of the real estate redeemed and the amount of the redemption money paid which certificate may be entered in the office of the prothonotary of the county as a judgment against the owner of the real estate for the amount stated therein The lien of any such judgment shall have priority over all other liens against such real estate except such liens as would not have been discharged had no redemption been made

Section 2 Section seventeen of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 364) is hereby further amended to read as follows

Section 17 If the owner of any real property his heirs or legal representatives or lien creditor his heirs assigns or legal representatives or other person interested in property so purchased by the county commissioners shall not redeem the same within such period of redemption the county commissioners may after the expiration of such period sell such lands at public sale or private sale in the manner provided by law for the best price or prices obtainable but they shall not be obliged to sell same Any such lands now owned by the county for which the re-

demption period has expired including property heretofore exposed to sale by the county commissioners and for which no bids have been received may be sold as herein provided at any time after the effective date of this act but shall not be required to be sold After any such sale or in the case of any redemption the property shall be charged by the assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes as other lands

The county commissioners before making sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sales particularly designating the tracts that are to be sold This notice shall be inserted in at least two newspapers published in the county if so many are published in said county if there be only one then in such newspaper published in the county

Such advertisement shall set forth

(a) The purpose of such sale
(b) The time of such sale
(c) The place of such sale
(d) The terms of such sale
(e) A list of seated lands affected and their location and the owner or reputed owner of each

Where any such public sale has been advertised under the provisions of this section prior to this amendment and such sale not having been held the readvertisement of such sale need not be advertised three consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale and include the purpose the time the place and the terms of such sale with a reference to the prior advertisement

The county commissioners may fix an upset price to be realized for any property exposed to sale by them as aforesaid sufficient to pay all costs and all tax claims against the property including tax liens of the Commonwealth tax liens filed in the prothonotary's office of the proper county taxes returned to the county commissioners and entered upon the Tax Return Docket in their office and indexed in the tax lien index in their office all accrued but unfiled taxes assessed and levied against the property and the amount of the municipal claims against the property In case the upset price shall not be bid for the property the county commissioners may postpone the sale and file their petition in the court of common pleas of the proper county setting forth that the property was purchased by them at a county treasurer's sale for unpaid taxes that more than two years has elapsed since the property was sold to them by the county treasurer that neither the owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representatives or other person interested has redeemed the property that they exposed the property to public sale that before exposing the property to public sale they fixed an upset price as above provided and that they were unable to obtain a bid sufficient to pay said upset price Upon the presentation of such petition accompanied with searches showing the state of the record and the ownership of the property and of all municipal claims mortgages and ground rents against the same which were not divested by the county treasurer's sale the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective mortgages municipal claims and ground rents If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court without further advertisement clear of all mortgages municipal claims and ground rents to the highest bidder at such sale and the proceeds realized therefrom shall be distributed to payment first of the costs of sale second the tax liens of the Commonwealth if any third taxes due the various taxing districts in proportion to their respective interests fourth municipal claims due on such property and fifth mortgage and other liens in order of their priority The purchaser at such sale or any owner who redeems as hereinafter provided shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind Provided however That any owner of the property so sold may within ten days after the date of the said sale redeem the property so sold upon payment of the bid price and the costs of sale and a penalty of ten per centum (10%) of the bid price which penalty shall be distributed as a part of the proceeds of the sale

After such sale the county commissioners shall make and deliver a deed being acknowledged before an officer authorized to acknowledge deeds Where the sale is made without securing an order of court as aforesaid such deed shall pass such title as the county commissioners have a right to convey but free clear and discharged of all tax liens and tax claims of whatsoever kind but where the sale is made after securing an order as aforesaid such deed shall pass title free clear and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind

All public or private sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county and all deeds and conveyances given by the county for any such lands are hereby ratified confirmed and validated and the purchasers thereof and their respective heirs successors and assigns shall hold and may convey such titles and estates imdefeasibly as to any rights of the county therein notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boles,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,

Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1100, as follows:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On and after the effective date of this act the Secretary of Mines with the consent of the Governor shall appoint three first-aid and three mine rescue instructors to carry on the work of instructing mine employes how to care for persons injured in and about the coal mines of this Commonwealth and to train such other employes of the various coal companies who may voluntarily seek training in the use of self-contained breathing apparatus gas masks first-aid to the injured and such other things or practices essential to the safe and efficient conduct of the work of first-aid and mine rescue

Section 2 The Secretary of Mines with the consent of the Governor shall purchase through the Department of Property and Supplies three trucks equipped with the necessary breathing apparatus gas masks first-aid supplies analytical apparatus and such other chemical and scientific instruments commonly used and necessary in the work of first-aid and mine rescue One truck shall be used in the anthracite region and two in the bituminous region

Section 3 The persons appointed to the position of first-aid and mine-rescue instructor shall not be under twenty-five (25) or over fifty (50) years of age on the date of their appointment They shall be citizens of this Commonwealth and shall devote their whole time and attention to the duties of their office They shall have a mine foreman's certificate issued by the Department of Mines of this Commonwealth and shall be in possession of a first-aid certificate issued by the Red Cross or the Federal Bureau of Mines or any other recognized authority on the subject of first-aid They shall also undergo an examination arranged and conducted by the Secretary of Mines The examination so conducted by the Secretary of Mines shall pertain to the applicant's knowledge and experience in the use of such instruments and equipment as are commonly used in mine rescue work

Section 4 The first-aid and rescue instructor shall receive a salary of three thousand six hundred dollars ($3,600) per annum together with the necessary expenses incidental to the performance of his duties under the law Except however one member of the crew manning each truck shall be termed chief of crew and shall receive a salary of four thousand dollars ($4,000) per annum together with the necessary expenses incidental to the performance of his duties under the law and shall be responsible for the orderly conduct of the work to be performed

Section 5 The persons so trained in the work of first-aid and mine rescue as described in section one of this act shall upon the completion of a course of training and instruction as may be prescribed by the Secretary of Mines be granted a certificate of competency Such certificate shall be issued by the Secretary of Mines upon written notice from the chief of crew that the applicant has completed in a satisfactory manner the course of training and instruction prescribed by the said Secretary of Mines

Section 6 For the purpose of carrying out the provisions of this act [fifty thousand dollars ($50,000.00)] "seventy five thousand dollars ($75,000.00)" or so much thereof as may be necessary is hereby appropriated for the use of the Department of Mines

Section 7 This act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,

Dye,	Kurtz,	Pickens,	Welsh,
Elliott,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 40.

An Act to amend or further amend the title and sections one five seven nine and ten of the act approved the eighth day of June one thousand nine hundred seven (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" excepting the Port of Chester from certain provisions of said act and from the jurisdiction of the Navigation Commission for the Delaware River and its navigable tributaries

Referred to the Committee on State Government.

SENATE BILL No. 191.

A Supplement to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fun for the purposes of this act" establishing an additional route in the city of Altoona.

Referred to the Committee on Highways.

SENATE BILL No. 306.

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for the filling of vacancies in the office of city treasurer prescribing qualifications of persons so appointed and regulating the appointment of deputy controllers and the responsibility and liability of controllers for their action and conduct.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 344.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 490.

An Act authorizing and directing the Department of Highways to erect and construct a free bridge over the Susquehanna River from a point in the City of Harrisburg in the vicinity of Third and Forster Streets to a point in the Borough of Wormleysburg at the intersection of State Highway Routes thirty and seven hundred eight and to provide the necessary approaches thereto and making an appropriation.

Referred to the Committee on Highways.

SENATE BILL No. 508.

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 543.

An Act relating to establishing and regulating the Port of Chester creating the commission for the Port of Chester as a departmental administrative commission in the Department of Forests and Waters and prescribing its powers and duties regulating the acquisition transfer construction and use of navigation facilities providing for regulating services and fixing minimum rates for wharfage cranage and dockage authorizing acquisition and construction of facilities by the Commonwealth and the exercise of the right of eminent domain providing for the use and leasing of such facilities authorizing the abatement of nuisances and the correcting of improper conditions and collecting the cost thereof from the owner or occupant of harbor structures prescribing penalties and making an appropriation.

Referred to the Committee on State Government.

SENATE BILL No. 602.

An Act making an appropriation to the Phoenix Volunteer Fire Company of Hollidaysburg for the protection of State property.

Referred to the Committee on Appropriations.

SENATE BILL No. 624.

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction.

Referred to the Committee on Highways.

SENATE BILL No. 626.

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial of natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters.

Referred to the Committee on State Government.

SENATE BILL No. 662.

An Act providing for the issuance of certified copies of any public record by officers of the Commonwealth and its political subdivision free of charge to certain veterans his agent or representatives of the United States Veterans' Administration.

Referred to the Committee on Military Affairs.

SENATE BILL No. 748.

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America or any federal agency and placing such lands under the control and supervision of the Department of Forests and Waters.

Referred to the Committee on State Government.

SENATE BILL No. 749.

An Act making an appropriation to the Department of Health for the purpose of organizating projects for the adequate prevention diagnosis care and treatment of rheumatic fever and rheumatic heart disease.

Referred to the Committee on Appropriations.

SENATE BILL No. 759.

An Act making an appropriation to the Warren Volunteer Fire Department of Warren Pennsylvania for the protection of State property.

Referred to the Committee on Appropriations.

SENATE BILL No. 760.

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases.

Referred to the Committee on State Government.

SENATE BILL No. 761.

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled as amended "A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases.

Referred to the Committee on State Government.

SENATE BILL No. 764.

An Act making an appropriation to the Huntingdon Volunteer Fire Department of Huntingdon Pennsylvania for the protection of State Property.

Referred to the Committee on Appropriations.

SENATE BILL No. 765.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny, and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 766.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by the United Nations and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 770.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 779.

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 78.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by excepting and excluding therefrom the obligations of municipal corporations by exempting scrip bonds certificates and evidences of indetedness held in certain employes pension trusts and held under certain circumstances for the benefit of non-residents of this Commonwealth and by making further provisions for the assessment collection and the making of payment of and report concerning the tax imposed by the act.

HOUSE BILL No. 135.

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines in this Commonwealth and the expenses incident to this office

HOUSE BILL No. 211.

An Act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid operators of fire apparatus in boroughs incorporated towns and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws.

HOUSE BILL No. 696.

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of the court of common pleas after notice to all municipalities having an interest therein.

HOUSE BILL No. 1017.

An Act to protect the public health and safety by requiring registration with and the securing of certificates of registration from the State Board of Pharmacy by persons copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adulterated or misbranded drugs and medical supplies prescribing certificates of registration providing for inspections and the suspension and revocation of certificates of registration conferring powers on the State Board of Pharmacy and courts and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON SECOND READING

Mr. HALL asked and obtained unanimous consent to call up out of order Senate Bill No. 687, Printer's No. 424, on page 16 of today's calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 687, entitled:

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendments:

Amend sec. 1 (sec. 1105), page 2, line 21, by striking out the word "shell" and inserting in lieu thereof "shall".

Amend sec. 1 (sec. 1105), page 2, line 23, by inserting after the word "presumed" the following: "and in all such cases the board of supervisors may formally by resolution declare such road to be vacated and a copy of such resolution shall be filed with the clerk of the court of quarter sessions of the county and a copy thereof with the Department of Highways of the Commonwealth".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendment:

Amend sec. 2 (sec. 1115), page 4, line 15, by striking out the word "and" and inserting in lieu thereof "or".

It was agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TROUT asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

HOUSE RESOLUTION No. 53

Mr. TURNER asked and obtained unanimous consent to call up out of order House Resolution No. 53, Printer's No. 712, on page 32, of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 12, 1945.

Resolved (if the Senate concurs), That the Legislative Reference Bureau be directed to prepare a subject code of existing laws relating to liquors, and malt, or brewed beverages, and submit the same in printed or mimeographed form, with appropriate annotations to the General Assembly for its consideration at the 1947 general session.

On the question,

Will the House agree to the resolution.

Mr. TURNER. Mr. Speaker, I desire to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend resolve clause, page 1, line 1, by striking out the words "(If the Senate concurs)" and inserting in lieu thereof: "By the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, That the resolution as amended lie over for printing.

RESOLUTION

RECALLING HOUSE BILL No. 501 FROM THE GOVERNOR

Mr. CHARLES H. BRUNNER, Jr., offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 2, 1945.

Resolved (if the Senate concurs), that House Bill No. 501, Printer's No. 649, entitled "An act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we have now arrived at the special order of motions discharging committees. I would like to say to the Members on my side of the House that they will not get any more votes by making long speeches, so I will ask them to be brief.

I might also suggest that if all of the Members in the House would answer distinctly to their names and the men at the desk would record only those who vote, it really should not in my opinion be necessary to verify the rolls, although that is a matter that those interested in the motions must decide for themselves. I would suggest, however, that the speeches be short and that the Members answer distinctly to their names in the hope that we can avoid a verification of the rolls.

RESOLUTIONS

Mr. BONEY. Mr. Speaker, I desire to offer the following resolution.

The SPEAKER. The Chair cannot accept this resolution because it is not properly sponsored.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. What is the fault in the resolution, Mr. Speaker?

The SPEAKER. The resolution is improperly sponsored. The gentleman from Luzerne, Mr. Boney, does not appear as the sponsor of the resolution.

Mr. ANDREWS. Mr. Speaker, the resolution can be withdrawn and sponsored by Mr. Boney.

The SPEAKER. If the resolution is offered at a later time properly sponsored the Chair will accept it.

RESOLUTION

TO DISCHARGE COMMITTEE ON STATE GOVERNMENT

Mr. SCANLON offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill No. 362, entitled: "An Act making an appropriation to the Department of the Auditor General for the payment of certain moral claims; providing for the payment of certain moral claims; providing for the hearing, adjustment and payment of moral claims to persons formerly employed by mercantile appraisers and whose salaries have not been paid." Said bill having been referred to the Committee on State Government on January 31, 1945.

On the question,

Will the House adopt the resolution?

Mr. LICHTENWALTER. Mr. Speaker, I ask that this resolution be voted down.

The yeas and nays were required by Mr. Scanlon and Mr. Chudoff and were as follows:

YEAS—86

Andrews,	Gaffney,	Matthews,	Polen,
Baker,	Gallagher,	McLanahan,	Powers,
Barrett,	Gore,	McNair,	Readinger,

Bentzel,	Grant,	McNally,	Reese, R. E.,
Boies,	Green,	Mihm,	Reidenbach,
Boney,	Haberlen,	Mills,	Reynolds,
Boory,	Hamilton,	Mooney,	Rudisill,
Brancato,	Heatherington,	Moore, W. J.,	Scanlon,
Brothers,	Hennihan,	Moran,	Schuster,
Brown,	Hering,	Munley,	Shaffer,
Brunner, P. A.,	Hersch,	Murray, M. L.,	Snider,
Burns,	Hoggard,	Myhan,	Stank,
Chervenak,	Hunter,	Nagel,	Trachtman,
Chudoff,	Jones,	O'Brien,	Trent,
Cohen,	Kirley,	O'Connor,	Varallo,
Coleman,	Kolankiewicz,	O'Donnell,	Verona,
Cullen,	Komorofski,	O'Neill,	Weiss,
Dillon,	Lane,	Owens,	Welsh,
Dougherty,	Leonard,	Pentrack,	White,
Duffy,	Longo,	Petrosky,	Wright,
Elish,	Lopez,	Pettigrew,	Yester,
Finnerty,	Lovett,		

NAYS—98

Barton,	Getchey,	Madigan,	Salus,
Baumunk,	Gibson,	Mahany,	Serrill,
Bonawitz,	Goodling,	McAtee,	Shoemaker,
Boorse,	Greenwood,	McClester,	Sloan,
Bower,	Greer,	McCormack,	Snyder,
Brice,	Guthrie,	McDowell,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Cadwalader,	Hare,	McMillen,	Stockham,
Cook,	Haudenshield,	Mikula,	Stonier,
Costa,	Helm,	Miller,	Stuart,
Coulson,	Hewitt,	Milliken,	Tahl,
Dague,	Hoffman,	Moore, C. E.,	Tittle,
Dalrymple,	Hoopes,	Moser,	Trout,
Depuy,	Howells,	Murray, P. G.,	Turbett,
Dix,	Huntley,	Nelson,	Turner,
Dye,	James,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Waterhouse,
Erb,	Krise,	Propert,	Watkins,
Ewing,	Kurtz,	Reagan,	Wescott,
Foor,	Laughner,	Reese, D. P.,	Wood, L. H.,
Fox,	Lee,	Reilly,	Wood, N.,
Freed,	Leisey,	Riley,	Worley,
Frost,	Lichtenwalter,	Robertson,	Yeakel,
Fullerton,	Lyons,	Royer,	Fiss,
Gardner,	Madden,		Speaker.

NOT VOTING—22

Bentley,	Flack,	Loftus,	Rose,
Breisch,	Fleming,	Modell,	Skale,
Cooper,	Hall,	Polaski,	Smith,
Corrigan,	Herman,	Regan,	Swope,
Coyle,	Kline,	Root,	Wagner,
Dennison,	Levy,		

So the question was determined in the negative and the resolution was not adopted.

Mr. ANDREWS. Will the gentleman from Luzerne, Mr. Boney, yield?

Mr. BONEY. Yes, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, if the sponsors of these resolutions do not object, the majority leader agrees that we will take a vote on this resolution, verify the vote and then accept that vote for the vote on the other resolutions, the rolls to be noted in the record as verified rolls.

RESOLUTION

TO DISCHARGE COMMITTEE ON MINES AND MINING

Mr. BONEY offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Mines and Mining be discharged from further consideration of House Bill No. 406, entitled "An act regulating the mining of anthracite coal for the protection of public highways, streets, roads and bridges from caving-in, collapsing or subsiding; conferring powers and imposing duties on the Secretary of Mines, the Secretary of Highways, and certain municipal officers; and prescribing penalties," said bill having been in the hands of said committee for a period of ten days and more, having been referred on February 5th.

On the question,

Will the House adopt the resolution?

Mr. BONEY. Mr. Speaker, by introducing and supporting this bill, House Bill 406, we are endeavoring to alleviate a condition that is quite general and has been in existence over a period of years. I will follow the suggestion of the Minority Leader and be very brief. However, I would like to call your attention to this particular incident. Just about a year ago at this time in one of our counties the cave situation became quite dangerous, so dangerous that the grand jury was instructed to make an investigation. They made an investigation and made a report. The report caused some anxiety in that community, and the people in their anxiety contacted the Governor or got in touch with him. At this time I would like to read the reply or acknowledgement of the Governor.

This is the reply or acknowledgement by the Governor:

"It is noted that the grand jury described briefly what it believes to be the remedy for the cave evil and urges the Governor to take steps to have the State carry out such a project" said Governor Martin in acknowledging receipt of District Attorney Brady's communication.

"It is recognized that when destructive forces are released and they threaten the safety of the people, there is general agreement that legislative and executive authority must be extended to meet the imperative demands for action," the executive continued.

"I am in full sympathy with the people of your community whose property has been damaged by mine caves. However, in the case before us, because of the complexities of mining, I feel the public interest could be best protected through legislation drawn by those persons of the anthracite region who are familiar with the mine cave evil and with the most effective remedy to safeguard the public."

I mention this, Mr. Speaker, just to keep the record clear and in proper shape to show that we endeavored to alleviate that condition by introducing these bills.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Boney and Mr. White.

Messrs. Lovett, Coleman and O'Brien asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—93

Andrews,	Flack,	Lovett,	Polaski,
Baker,	Gaffney,	Matthews,	Polen,
Barrett,	Gallagher,	McLanahan,	Powers,
Bentley,	Gore,	McNair,	Readinger,
Bentzel,	Grant,	McNally,	Reese, R. E.,
Boies,	Green,	Mihm,	Reidenbach,
Boney,	Haberlen,	Mikula,	Reynolds,
Boory,	Hamilton,	Mills,	Rudisill,
Brancato,	Heatherington,	Mooney,	Scanlon,
Brothers,	Hennihan,	Moore, W. J.,	Schuster,
Brown,	Hering,	Moran,	Shaffer,
Brunner, P. A.,	Herman,	Munley,	Snider,

Burns,	Hersch,	Murray, M. L.,	Stank,
Chervenak,	Hoggard,	Myhan,	Swope,
Chudoff,	Hunter,	Nagel,	Trachtman,
Cohen,	Jones,	O'Brien,	Trent,
Coleman,	Kirley,	O'Connor,	Varallo,
Corrigan,	Kolankiewicz,	O'Donnell,	Verona,
Coyle,	Komorofski,	O'Neill,	Weiss,
Cullen,	Lane,	Owens,	Welsh,
Dougherty,	Leonard,	Pentrack,	White,
Duffy,	Longo,	Petrosky,	Wright,
Elish,	Lopez,	Pettigrew,	Yester,
Finnerty,			

NAYS—101

Barton,	Getchey,	Mahany,	Shoemaker,
Baumunk,	Gibson,	McAtee,	Sloan,
Bonawitz,	Goodling,	McClester,	Smith,
Boorse,	Greenwood,	McCormack,	Snyder,
Bower,	Greer,	McDowell,	Sollenberger,
Breisch,	Guthrie,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stockham,
Cadwalader,	Hare,	Miller,	Stonier,
Cook,	Haudenshield,	Milliken,	Stuart,
Costa,	Helm,	Moore, C. E.,	Tahl,
Coulson,	Hewitt,	Moser,	Tittle,
Dague,	Hoffman,	Murray, P. G.,	Trout,
Dalrymple,	Hoopes,	Nelson,	Turner,
Dennison,	Howells,	O'Dare,	Turbett,
Depuy,	Huntley,	Pickens,	Wachhaus,
Dix,	James,	Propert,	Wagner,
Dye,	Kennedy,	Reagan,	Waterhouse,
Elder,	Kline,	Reese, D. P.,	Watkins,
Ewing,	Krise,	Reilly,	Wescott,
Fleming,	Kurtz,	Riley,	Wood, L. H.,
Foor,	Laughner,	Robertson,	Wood, N.,
Fox,	Lee,	Root,	Worley,
Freed,	Leisey,	Royer,	Yeakel,
Frost	Lichtenwalter,	Salus,	Fiss,
Fullerton	Lyons,	Serrill,	Speaker.
Gardner,	Madigan,		

NOT VOTING—12

Brice,	Erb,	Loftus,	Regan,
Cooper,	Hall,	Madden,	Rose,
Dillon,	Levy,	Modell,	Skale,

So the question was determined in the negative and the resolution was not adopted.

Mr. ANDREWS. Mr. Speaker, the Majority Whip has decided that he does not desire that this roll call shall stand as the verified roll call for the remaining resolutions to discharge. Therefore I just want to let the men and women on this side of the House know that they will have to be present in the House in order to be recorded, and that if they so desire it is their privilgee to ask for a vertified roll call.

Mr. SORG. Mr. Speaker, I am not sure that the gentleman fully understands my suggestion or that I had made myself entirely clear. I wonder if we might suspend for a moment while I confer with the gentleman to make it clear.

Mr. ANDREWS. Mr. Speaker, I understand that we are to confer across the floor of the House.

Mr. SORG. Mr. Speaker, I am advised that there are two men on this side of the House who voted in the affirmative on this resolution who desire to be recorded in the negative on all other roll calls, and that is the only discrepancy that there would be.

Mr. ANDREWS. Mr. Speaker, I apprehended as much when I offered to save the time of the House by accepting this roll call as the verified roll call. There are other motions to discharge where we might lose or gain on the roll call, but I believe now there is no course to take but to proceed and let each roll call stand on its own feet.

Mr. SORG. Mr. Speaker, out of deference to the gentlemen who do not desire to be recorded in the affirmative on the other roll calls I see no alternative other than by specific request on the other roll calls as to how they desire to be recorded.

Mr. ANDREWS. Mr. Speaker, as usual I am reversed by my caucus. With the exception of the resolution to discharge the committee on a Senate bill I understand that we are willing to accept the verified roll call on the resolution of Mr. Cullen for the other resolution to discharge, that is, with the exception of the one to discharge the committee on a Senate Bill.

RESOLUTION

TO DISCHARGE COMMITTETE ON ELECTIONS

Messrs. CULLEN and CHUDOFF offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Elections be discharged from further consideration of House Bill No. 461 entitled: "An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further regulating elections, the appointment of overseers and watchers, the duties and compensation of election officers, the receiving of assistance, and the qualifications for, and time and manner of voting," said bill having been referred to the Committee on Elections, February 6, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Cullen and Mr. Lovett.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Shoemaker,
Boorse,	Gibson,	McAtee,	Sloan,
Bower,	Goodling,	McClester,	Smith,
Breisch,	Greenwood,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,

Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trout,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox,	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss,

Speaker.

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON RAILROADS AND RAILWAYS

Mr. MATTHEWS offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Whereas, House Bill No. 424 entitled "An act requiring railroad companies to provide a flagman on all engines running without cars; providing for the enforcement of the act by the Public Utility Commission; fixing penalties, and providing for the collection thereof by the Attorney General," was referred to the Committee on Railroads and Railways in the House of Representatives on February 6, 1945 and has not been acted upon by said Committee, therefore be it

Resolved, That the Committee on Railroads and Railways is hereby discharged from further consideration of House Bill No. 424 entitled "An act requiring railroad companies to provide a flagman on all engines running without cars; providing for the enforcement of the act by the Public Utility Commission; fixing penalties, and providing for the collection thereof by the Attorney General."

On the question,

Will the House adopt the resolution?

Mr. MORAN. Mr. Speaker, as a member of the Committee on Railroads and Railways I am in accord with the resolution.

The yeas and nays were required by Mr. Matthews and Mr. Chudoff:

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Shoemaker,
Boorse,	Gibson,	McAtee,	Sloan,
Bower,	Goodling,	McClester,	Smith,
Breisch,	Greenwood,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,
Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trout,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox,	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss,

Speaker.

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,

So the question was determined in the negative and the resolution was not adopted.

Mr. LOVETT. Mr. Speaker, we accept this as a verified roll call.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SORG asked and obtained permission for the Committee on Constitutional Amendments to meet during the session of the House.

RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR

Mr. LEONARD offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Labor be discharged from further consideration of House Bill No. 356, entitled "An act for the protection of the health and welfare of women, by abolishing under the police power, wage differentials based on sex, which are paid by employers; defining the powers and duties of the Department of Labor and Industry; providing for the collection of unpaid wages, and providing penalties," said bill having been in the hands of said committee for a period of ten days and more, having been referred on January 31, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Leonard and Mr. Lane.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Skale,
Brown,	Hering,	Munley,	Shaffer,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trout,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Sloan,
Boorse,	Gibson,	McAtee,	Snider,
Bower,	Goodling,	McClester,	Snyder,
Breisch,	Greenwood,	McCormack,	Shoemaker,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,
Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trent,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox,	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss,

Speaker.

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose
Dague,	Levy,	Polaski,	Smith,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON PUBLIC HEALTH AND SANITATION

Mr. ANDREWS offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Public Health and Sanitation be discharged from further consideration of Senate Bill No. 579, entitled: "An Act to safeguard human life prohibiting the performance of operations previous to the making of certain pre-operative studies and tests and the inspection thereof by the person performing the operation, except an emergency operation; defining an emergency operation and a pre-operative study and providing penalties," said bill having been referred to the Committee on Public Health and Sanitation on April 4, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Andrews and Mr. Cohen.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Shoemaker,
Boorse,	Gibson,	McAtee,	Sloan,
Bower,	Goodling,	McClester,	Smith,
Breisch,	Greenwood,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,
Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trout,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox,	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss,

Speaker.

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,

So the question was determined in the negative and the resolutoin was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON LIQUOR CONTROL

Mr. McNALLY offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Liquor Control be discharged from further consideration of House Bill No. 941 entitled:

"An Act to further amend clauses (VII) and (VIII) of section twenty-three of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended 'Beverage License Laws,' by changing the provisions of said act which relate to advertisements allowed on and about licensed premises," said bill having been referred to the Committee on Liquor Control on March 6, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. McNally and Mr. McNair.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boorse,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—103

Barton,	Fullerton,	Madigan,	Serrill,
Baumunk,	Gardner,	Mahany,	Shoemaker,
Bonawitz,	Getchey,	McAtee,	Sloan,
Boory,	Gibson,	McClester,	Smith,
Bowcr,	Goodling,	McCormack,	Snyder,
Breisch,	Greenwood,	McDowell,	Sollenberger,
Brice,	Greer,	McKinney,	Sorg,
Cadwalader,	Guthrie,	McMillen,	Stockham,
Cook,	Gyger,	Mikula,	Stonier,
Cooper,	Hall,	Miller,	Stuart,
Costa,	Hare,	Milliken,	Tahl,
Coulson,	Helm,	Moore, C. E.,	Tittle,
Dalrymple,	Hewitt,	Moser,	Trout,
Dennison,	Hoffman,	Murray, P. G.,	Turbett,
Depuy,	Hoopes,	Nelson,	Turner,
Dix,	Huntley,	O'Dare,	Wachhaus,
Dye,	Kennedy,	Pickens,	Wagner,
Elder,	Kline,	Propert,	Waterhouse,
Erb,	Krise,	Reagan,	Watkins,
Ewing,	Kurtz,	Reese, D. P.,	Wescott,
Flack,	Laughner,	Reilly,	Wood, L. H.,
Fleming,	Lee,	Riley,	Wood, N.,
Foor,	Leisey,	Robertson,	Worley,
Fox,	Lichtenwalter,	Root,	Yeakel,
Freed,	Lyons,	Royer,	Fiss,
Frost,	Madden,	Salus,	Speaker.

NOT VOTING—13

Brunner, C. H.,	Howells,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,
Haudenshield,			

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR

Mr. LOVETT offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Labor be discharged from further consideration of House Bill No. 1083, entitled "An act to prevent the payment of unreasonably low wages; creating the Wage and Hour division in the Department of Labor and Industry, conferring powers and imposing duties upon the Wage and Hour Division, providing minimum wages and maximum hours for employment within this Commonwealth; authorizing the Wage and Hour Division to conduct inspections, investigations and hearings; providing certain exemptions from the operation of this act; conferring jurisdiction on the common pleas courts in matters arising under this act, and providing a procedure for such cases; and prescribing penalties," said bill having been in the hands of said Committee for a period of ten days and more, having been referred on March 13, 1945.

On the question,

Will the House adopt the resolution?

Mr. MORAN. Being a member of the Committee on Labor, Mr. Speaker, I desire to notify the House that I am in accord with the resolution.

The yeas and nays were required by Mr. Lovett and Mr. Moran.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—103

Barton,	Fullerton,	Madigan,	Serrill,
Baumunk,	Gardner,	Mahany,	Shoemaker,
Bonawitz,	Getchey,	McAtee,	Sloan,
Boorse,	Gibson,	McClester,	Smith,
Bower,	Goodling,	McCormack,	Snyder,
Breisch,	Greenwood,	McDowell,	Sollenberger,

Brice,	Greer,	McKinney,	Sorg,
Cadwalader,	Guthrie,	McMillen,	Stockham,
Cook,	Gyger,	Mikula,	Stonier,
Cooper,	Hall,	Miller,	Stuart,
Costa,	Hare,	Milliken,	Tahl,
Coulson,	Helm,	Moore, C. E.,	Tittle,
Dalrymple,	Hewitt,	Moser,	Trout,
Dennison,	Hoffman,	Murray, P. G.,	Turbett,
Depuy,	Hoopes,	Nelson,	Turner,
Dix,	Huntley,	O'Dare,	Wachhaus,
Dye,	Kennedy,	Pickens,	Wagner,
Elder,	Kline,	Propert,	Waterhouse,
Erb,	Krise,	Reagan,	Watkins,
Ewing,	Kurtz,	Reese, D. P.,	Wescott,
Flack,	Laughner,	Reilly,	Wood, L. H.,
Fleming,	Lee,	Riley,	Wood, N.,
Foor,	Leisey,	Robertson,	Worley,
Fox,	Lichtenwalter,	Root,	Yeakel,
Freed,	Lyons,	Royer,	Fiss,
Frost,	Madden,	Salus,	Speaker.

NOT VOTING—13

Brunner, C. H.,	Howells,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,
Haudenshield,			

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON CITY AND COUNTY —FIRST CLASS

Mr. HERSCH offered the following resolution which was read by the Clerk:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on City and County—First Class be discharged from further consideration of House Bill No. 492, entitled:

"An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred and thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act,' by further providing for and regulating the days and manner of registering electors, and cancellation and reinstatement of registration, the service of notices, the right of registered electors to vote when their names are not on the district register, the receiving of assistance at elections and the appointment of assistant clerks and employes by the commission," said bill having been referred to the Committee on City and County—First Class on February 7, 1945.

On the question,

Wlil the House adopt the resolution?

The yeas and nays were required by Mr. Hersch and Mr. Leonard.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorof[illegible],	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—103

Barton,	Fullerton,	Madigan,	Serrill,
Baumunk,	Gardner,	Mahany,	Shoemaker,
Bonawitz,	Getchey,	McAtee,	Sloan,
Boorse,	Gibson,	McClester,	Smith,
Bower,	Goodling,	McCormack,	Snyder,
Breisch,	Greenwood,	McDowell,	Sollenberger,
Brice,	Greer,	McKinney,	Sorg,
Cadwalader,	Guthrie,	McMillen,	Stockham,
Cook,	Gyger,	Mikula,	Stonier,
Cooper,	Hall,	Miller,	Stuart,
Costa,	Hare,	Milliken,	Tahl,
Coulson,	Helm,	Moore, C. E.,	Tittle,
Dalrymple,	Hewitt,	Moser,	Trout,
Dennison,	Hoffman,	Murray, P. G.,	Turbett,
Depuy,	Hoopes,	Nelson,	Turner,
Dix,	Huntley,	O'Dare,	Wachhaus,
Dye,	Kennedy,	Pickens,	Wagner,
Elder,	Kline,	Propert,	Waterhouse,
Erb,	Krise,	Reagan,	Watkins,
Ewing,	Kurtz,	Reese, D. P.,	Wescott,
Flack,	Laughner,	Reilly,	Wood, L. H.,
Fleming,	Lee,	Riley,	Wood, N.,
Foor,	Leisey,	Robertson,	Worley,
Fox,	Lichtenwalter,	Root,	Yeakel,
Freed,	Lyons,	Royer,	Fiss,
Frost,	Madden,	Salus,	Speaker.

NOT VOTING—13

Brunner, C. H.,	Howells,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,
Haudenshield,			

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON CITY AND COUNTY —FIRST CLASS

Messrs. WELSH and SCANLON offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on City and County—First Class be discharged from further consideration of House Bill No. 996, entitled:

"An Act for the better government of cities of the first class of the Commonwealth by providing among other things for the election of a mayor and a council; the creation, abolition and change of departments and the addition to departments of certain functions pertaining to parks, detention and correction planning within the city, weights and measures, and dependent, neglected, incorrigible and delinquent children transferred from certain county offices to the extent of the performance of such functions within such cities; improvement of the civil service; increased control over finances by requiring balanced current and capital budgets and by greater control over the collection of charges, fees, and taxes, and over payments of salaries and other expenditures out of the city treasury; improvement in the making and revision of assessments, the grant of home rule to such cities and penalties," said bill having been referred to the Committee on City and County—First Class, on March 12, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Welsh and Mr. Scandon.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Shoemaker,
Boorse,	Gibson,	McAtee,	Sloan,
Bower,	Goodling,	McClester,	Smith,
Breisch,	Greenwood,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,
Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trout,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss,
			Speaker.

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE ON PRINTING

Mr. LEONARD offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Printing be discharged from further consideration of House Bill No. 6, entitled:

"An Act relative to the printing for the Commonwealth of Pennsylvania to establish the requirements of responsible bidders to prescribe penalties for the violation of the provisions of this act and to repeal all acts and parts of acts inconsistent with the provisions of this act," said bill was referred to the Committee on Printing on January 16, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Leonard and Mr. Moran.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, D. P.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Shoemaker,
Boorse,	Gibson,	McAtee,	Sloan,
Bower,	Goodling,	McClester,	Smith,
Breisch,	Greenwood,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,
Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trout,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, R. E.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox,	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss,
			Speaker.

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE THE COMMITTEE ON PRINTING

Mr. LEONARD offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 2, 1945.

Resolved, That the Committee on Printing be discharged from further consideration of House Bill No. 7, entitled:

"An Act to enable the governing bodies of cities of the first, second and second class A to establish by ordinance the requirements of responsible bidders for city printing and to repeal all acts and parts of acts inconsistent with the provisions of this act," said bill was referred to the Committee on Printing on January 16, 1945.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Leonard and Mr. Cullen.

Messrs. Lovett, Finnerty and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—90

Andrews,	Finnerty,	Lovett,	Polen,
Baker,	Gaffney,	Matthews,	Powers,
Barrett,	Gallagher,	McLanahan,	Readinger,
Bentley,	Gore,	McNair,	Reese, R. E.,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Herman,	Murray, M. L.,	Stank,
Burns,	Hersch,	Myhan,	Swope,
Chervenak,	Hoggard,	Nagel,	Trachtman,
Cohen,	Hunter,	O'Brien,	Trent,
Coleman,	Jones,	O'Connor,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Leonard,	Petrosky,	Wright,
Duffy,	Longo,	Pettigrew,	Yester,
Elish,	Lopez,		

NAYS—104

Barton,	Fullerton,	Madden,	Salus,
Baumunk,	Gardner,	Madigan,	Serrill,
Bonawitz,	Getchey,	Mahany,	Shoemaker,
Boorse,	Gibson,	McAtee,	Sloan,
Bower,	Goodling,	McClester,	Smith,
Breisch,	Greenwood,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Cadwalader,	Guthrie,	McKinney,	Sorg,
Cook,	Gyger,	McMillen,	Stockham,
Cooper,	Hall,	Mikula,	Stonier,
Costa,	Hare,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moore, C. E.,	Tittle,
Dennison,	Hoffman,	Moser,	Trout,
Depuy,	Hoopes,	Murray, P. G.,	Turbett,
Dix,	Howells,	Nelson,	Turner,
Dye,	Huntley,	O'Dare,	Wachhaus,
Elder,	Kennedy,	Pickens,	Wagner,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Laughner,	Reilly,	Wood, L. H.,
Foor,	Lee,	Riley,	Wood, N.,
Fox,	Leisey,	Robertson,	Worley,
Freed,	Lichtenwalter,	Root,	Yeakel,
Frost,	Lyons,	Royer,	Fiss, Speaker,

NOT VOTING—12

Brunner, C. H.,	Haudenshield,	Loftus,	Regan,
Chudoff,	James,	Modell,	Rose,
Dague,	Levy,	Polaski,	Skale,

So the question was determined in the negative and the resolution was not adopted.

BILL ON SECOND READING

Mr. TURNER. Mr. Speaker, I call up at this time Senate Bill No. 641, on page 5 of today's calendar, which was passed over earlier today.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 641, entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries

The first section was read.

On the question,

Will the House agree to the section?

QUESTION OF INFORMATION

Mr. BROWN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. BROWN. I was in the conference room in a Committee meeting, and I understand you are calling up Senate Bill No. 641.

The SPEAKER. Senate Bill 641, Printer's No. 483, on page 5 of today's calendar, that is correct.

Mr. BROWN. Mr. Speaker, I asked the Majority Whip to have this bill passed over, and we were to report on it. We have been working on this bill but we have been in committee meetings most of the time and have not had an opportunity. I don't know who called the bill up, but the courtesy would have been to ask whether we had ended our conference. May I inquire who called the bill up.

The SPEAKER. The gentleman from Delaware, Mr. Turner. The Chair was also under the impression that it would be called up before the end of the session today.

Mr. BROWN. That is correct, Mr. Speaker, but I think that would imply that we have an opportunity to try to agree on it.

The SPEAKER. If there is no objection the bill will be passed over temporarily.

Mr. TURNER. Mr. Speaker, I understand that the gentleman from Allegheny and the gentleman from Crawford, Mr. Mahany, have been in conference. I saw them and talked to them going back and forth. We are on the calendar. If we are going to wind up this session shortly it seems to me that we ought to consider this bill instead of passing it over. I would ask if the gentlemen want to offer amendments that we allow the bill to pass second reading, and with the consent of the Majority and Minority Floor Leaders we will say that no objections will be offered to the offering of amendments on third reading tomorrow. We may oppose the amendments but we will not object to the offering of amendments. In other words I think the time now is here that we ought not to delay the bill another day.

Mr. BROWN. Mr. Speaker, if it is with the consent of the gentleman from Delaware, Mr. Turner, and the House that we may offer these amendments on third reading, we shall not oppose passing the bill on second reading.

May I say to the gentelman from Delaware, Mr. Turner, we are not employing delaying tactics. This is an important bill dealing with a very important subject, and we do not believe that we ought to be forced, because of time, to do a disservice to the people of Pennsylvania.

Mr. TURNER. Mr. Speaker, I quite agree with the gentleman from Allegheny. I would not ask them to be forced to do something in a hury. On the other hand, I think we ought to pass this bill on second reading and go ahead with the calendar, and then if they offer amendments tomorrow, if they are successful they will go into the bill; if not, the bill will go on to final passage.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

On the question,

Will the House agree to the bill on third reading?

Mr. McCLESTER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 8, by striking out the words "parking lots" and inserting in lieu thereof the following: "lots for the parking of motor vehicles and for no other use or purpose".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

Senate Bill No. 37, Printer's No. 77
Senate Bill No. 413, Printer's No. 301
Senate Bill No. 625, Printer's No. 298
Senate Bill No. 208, Printer's No. 303 and
Senate Bill No. 209, Printer's No. 302

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 537, as follows:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" providing for payment of the compensation of local registrars by the Commonwealth and relieving counties from such payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-eight of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 28 Compensation of Local Registrars Each local registrar shall be paid the sum f fifty cents for each complete birth death or stillbirth certificate returned by him to the department in accordance with the regulations of the department In case no birth death or stillbirth was registered during any calendar month the local registrar shall so report and be paid the sum of fifty cents for the report The department is authorized to change by regulation the amounts specified herein to be paid to local registrars and the department shall limit the aggregate amount of fees to be paid per annum to any local registrar either by setting an annual aggregate maximum of such fees or by graduating the fees according to the number of registrations The fees of the local registrars shall be paid by the Commonwealth from funds appropriated to the Department of Health

Section 2 Section twenty-nine of said act is hereby repealed

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lopez,	Regan,

Baker,	Fullerton,	Lovett,	Reidenbach,
Barrett,	Gaffney,	Lyons,	Reilly,
Barton,	Gallagher,	Madden,	Reynolds,
Baumunk,	Gardner,	Madigan,	Riley,
Bentley,	Getchey,	Mahany,	Robertson,
Bentzel,	Gibson,	Matthews,	Root,
Boies,	Goodling,	McAtee,	Rose,
Bonawitz,	Gore,	McClester,	Royer,
Boney,	Grant,	McCormack,	Rudisill,
Boorse,	Green,	McDowell,	Salus,
Boory,	Greenwood,	McKinney,	Scanlon,
Bower,	Greer,	McLanahan,	Schuster,
Brancato,	Guthrie,	McMillen,	Serrill,
Breisch,	Gyger,	McNair,	Shaffer,
Brice,	Haberlen,	McNally,	Shoemaker,
Brothers,	Hall,	Mihm,	Skale,
Brown,	Hamilton,	Mikula,	Sloan,
Brunner, C. H.,	Hare,	Miller,	Smith,
Brunner, P. A.,	Haudenshield,	Milliken,	Snider,
Burns,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox	Longo,	Reese, R. E.,	Yester,
Freed,			Fiss, Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. The Chair requests the gentleman from Delaware, Mr. Turner, to preside.

MR. TURNER IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 590, as follows:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" as amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 88) is here by further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty dollars $(20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars ($500.00) in the event of death from natural or accidental causes and to issue policies of endowment insurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars ($500.00) but not exceeding one thousand dollars ($1,000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars ($50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars ($12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars ($50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars ($1,000.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars ($1,00,000.) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars ($25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars ($100,000.00)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lopez,	Regan,
Baker,	Fullerton,	Lovett,	Reidenbach,
Barrett,	Gaffney,	Lyons,	Reilly,
Barton,	Gallagher,	Madden,	Reynolds,
Baumunk,	Gardner,	Madigan,	Riley,
Bentley,	Getchey,	Mahany,	Robertson,
Bentzel,	Gibson,	Matthews,	Root,
Boies,	Goodling,	McAtee,	Rose,
Bonawitz,	Gore,	McClester,	Royer,
Boney,	Grant,	McCormack,	Rudisill,
Boorse,	Green,	McDowell,	Salus,
Boory,	Greenwood,	McKinney,	Scanlon,
Bower,	Greer,	McLanahan,	Schuster,
Brancato,	Guthrie,	McMillen,	Serrill,
Breisch,	Gyger,	McNair,	Shaffer,
Brice,	Haberlen,	McNally,	Shoemaker,
Brothers,	Hall,	Mihm,	Skale,
Brown,	Hamilton,	Mikula,	Sloan,
Brunner, C. H.,	Hare,	Miller,	Smith,
Brunner, P. A.,	Haudenshield,	Milliken,	Snider,
Burns,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,

Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,			Fiss, Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 675, Printer's No. 375,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 721, as follows:

An Act to further amend section two hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating when a director may be elected solicitor to the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1070) is hereby further amended to read as follows

Section 226 No School director shall during the term for which he was elected or appointed be employed in any capacity by the school district in which he is elected or appointed or receive from such school district any pay for services rendered to the district except as provided in this act Provided however That one who has served as a school director for [three] two consecutive terms of six years each may be elected to the position of attorney or solicitor for the board of which he was a member by the unanimous vote of all the other members of the board and after resigning his office as school director shall be entitled to receive such pay for his services as solicitor as the board of school directors may determine

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as folows:

YEAS—181

Andrews,	Gaffney,	Lovett,	Reilly,
Baker,	Gallagher,	Lyons,	Reynolds,
Barrett,	Gardner,	Madden,	Riley,
Barton,	Getchey,	Madigan,	Robertson,
Baumunk,	Gibson,	Mahany,	Root,
Bentley,	Goodling,	Matthews,	Rose,
Boles,	Gore,	McAtee,	Royer,
Bonawitz,	Grant,	McClester,	Salus,
Boney,	Green,	McCormack,	Scanlon,
Boorse,	Greenwood,	McDowell,	Schuster,
Bower,	Greer,	McKinney,	Serrill,
Brancato,	Guthrie,	McLanahan,	Shaffer,
Breisch,	Gyger,	McMillen,	Shoemaker,
Brice,	Haberlen,	McNair,	Skale,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hare,	Mikula,	Smith,
Brunner, C. H.,	Haudenshield,	Miller,	Snyder,
Brunner, P. A.,	Helm,	Milliken,	Sollenberger,
Burns,	Hennihan,	Mills,	Sorg,
Cadwalader,	Hering,	Modell,	Stank,
Cohen,	Herman,	Mooney,	Stockham,
Cook,	Hersch,	Moore, C. E.,	Stonier,
Cooper,	Hewitt,	Moore, W. J.,	Stuart,
Corrigan,	Hoffman,	Moser,	Tahl,
Costa,	Hoggard,	Munley,	Tittle,
Coulson,	Hoopes,	Murray, M. L.,	Trachtman,
Coyle,	Howells,	Murray, P. G.,	Trent,
Dague,	Hunter,	Myhan,	Trout,
Dalrymple,	Huntley,	Nelson,	Turbett,
Dennison,	James,	O'Brien,	Turner,
Depuy,	Jones,	O'Connor,	Varallo,
Dillon,	Kennedy,	O'Dare,	Verona,
Dix,	Kirley,	O'Neill,	Wachhaus,
Duffy,	Kline,	Owens,	Wagner,
Dye,	Kolankiewicz,	Petrosky,	Waterhouse,
Elder,	Komorofski,	Pettigrew,	Watkins,
Erb,	Krise,	Pickens,	Welsh,
Ewing,	Kurtz,	Polen,	Wescott,
Finnerty,	Laughner,	Power,	White,
Flack,	Lee,	Propert,	Wood, L. H.,
Fleming,	Leisey,	Readinger,	Wood, N.,
Foor,	Leonard,	Reagan,	Worley,
Fox,	Levy,	Reese, D. P.,	Yeakel,
Freed,	Lichtenwalter,	Regan,	Fiss,
Frost,	Loftus,	Reidenbach,	Speaker.
Fullerton,	Longo,		

NAYS—25

Bentzel,	Elish,	Moran,	Rudisill,
Boory,	Hamilton,	Nagel,	Snider,
Chervenak,	Heatherington,	O'Donnell,	Swope,
Chudoff,	Lane,	Pentrack,	Weiss,
Coleman,	Lopez,	Polaski,	Wright,
Cullen,	McNally,	Reese, R. E.,	Yester,
Dougherty,			

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 319, Printer's No. 192
Senate Bill No. 320, Printer's No. 193
Senate Bill No. 321, Printer's No. 194
Senate Bill No. 322, Printer's No. 195 and
Senate Bill No. 323, Printer's No. 196

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. PROPERT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 4, page 3, line 14, by striking out the word "fidelity", and inserting in lieu thereof: "surety".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 573, as follows:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as amended by the act approved the eighth day of May one thousand nine hundred nineteen (P. L. 120) is hereby further amended to read as follows

Section 1 Be it enacted &c That a State tax of two cents on each one hundred dollars of the [face] market value or fraction thereof not exceeding however two cents on each one hundred dollars of the face value or fraction thereof or in the case of shares or certificates of stock without designated monetary value not exceeding two cents per share is hereby imposed on all sales or agreements to sell or memoranda of sales of stock and upon any and all deliveries or transfers of shares or certificates of stock in any domestic or foreign corporation or copartnership association or joint-stock company made on or after the date when this act takes effect whether made upon or shown by the books of the corporation copartnership association or joint-stock company or by any assignment in blank or by any delivery or by any paper or agreement or memorandum or other evidence of sale or transfer whether intermediate or final and whether investing the holder with the beneficial interest in or legal title to said stock merely with the possession or use thereof for any purpose or to secure the future payment of money or the future transfer of any stock

[In cases where the shares or certificates of stock are issued without designated monetary value the tax hereby imposed shall be at the rate of two cents for each and every share of such stock instead of being based upon the face value thereof as hereinbefore provided]

Every person or persons making or effectuating any such sale or transfer shall procure affix and cancel the stamps and pay the tax provided by this act Provided That stock of building and loan associations sales or agreements to sell or memoranda of sales of stock of said associations and all deliveries or transfers of shares or certificates of stock thereof shall be exempt from the provisions of this act

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Frost,	Lopez,	Reidenbach,
Baker,	Fullerton,	Lovett,	Reilly,
Barrett,	Gaffney,	Lyons,	Reynolds,
Barton,	Gallagher,	Madden,	Riley,
Baumunk,	Gardner,	Madigan,	Robertson,
Bentley,	Getchey,	Mahany,	Root,
Bentzel,	Gibson,	Matthews,	Rose,
Boies,	Goodling,	McAtee,	Royer,
Bonawitz,	Gore,	McClester,	Rudisill,
Boney,	Grant,	McCormack,	Salus,
Boorse,	Green,	McDowell,	Scanlon,
Boory,	Greenwood,	McKinney,	Schuster,
Bower,	Greer,	McLanahan,	Serrill,
Brancato,	Guthrie,	McMillen,	Shaffer,
Breisch,	Gyger,	McNair,	Shoemaker,
Brice,	Haberlen,	McNally,	Skale,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hamilton,	Mikula,	Smith,
Brunner, C. H.,	Hare,	Miller,	Snider,
Brunner, P. A.,	Haudenshield,	Milliken,	Snyder,
Burns,	Heatherington,	Mills,	Sollenberger,
Cadwalader,	Helm,	Modell,	Sorg,
Chervenak,	Hennihan,	Mooney,	Stank,
Chudoff,	Hering,	Moore, C. E.,	Stockham,
Cohen,	Herman,	Moore, W. J.,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,

Corrigan,	Hoggard,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox	Longo,	Regan,	Speaker.
Freed,			

NAYS—2

Moran,	Yester.

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 574, as follows:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations, providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" is hereby amended to read as follows

Section 3 The payment of the tax imposed by section one shall be evidenced by an adhesive stamp or stamps affixed as follows In the case of a sale or transfer where the evidence of the transaction is shown only by the books of the corporation co-partnership association or joint-stock company the stamp shall be placed upon such books and the person making or effectuating such sale or transfer shall procure and furnish to the corporation copartnership association or joint-stock company the requisite stamps and the corporation co-partnership association or joint-stock company shall affix and cancel the same Where the transaction is effected by the delivery or transfer of a certificate the stamp or stamps shall be placed upon the surrendered certificate and canceled and in cases of an agreement to sell or where the sale is effected by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale to which the stamp provided for by this act shall be affixed and cancelled Every such bill or memorandum of sale or agreement to sell shall show the date of the transaction which it evidences the names of the seller the stock to which it relates and the number of shares thereof All such bills or memoranda of sale shall bear a number upon the face thereof and no more than one such bill or memorandum of sale made by the seller on any given day shall bear the same number The aforesaid identification number of the bill or memorandum of sale shall in all cases be entered and recorded in a book of account to be kept for the purpose and no further tax is hereby imposed upon the delivery of the certificate of stock or upon the actual issue of a new certificate when the original certifificate of stock is accompanied by the duly stamped memorandum of sale as herein provided Notwithstanding any other provisions of this section the tax imposed by section one may be paid in the case of a sale delivery or transfer executed or effected within the Commonwealth of Pennsylvania by any member of any securities exchange within this State which is registered with the Securities and Exchange Commission of the United States to such securities exchange or to a clearing corporation affiliated with such exchange by the person firm association or corporation executing or effecting such sale delivery or transfer without the use of the stamp or stamps prescribed by this section In such event a written report shall be made to such exchange or affiliated clearing corporation for each business day by each such person firm association or corporation showing the amount of tax payable on all such sales deliveries or transfers Provided however with respect to sales deliveries or transfers cleared through such affiliated clearing corporation the report of such sales deliveries or transfers may be made on behalf of such clearing person firm association or corporation by such affiliated clearing corporation A record shall be made by such exchange or affiliated clearing corporation for each business day showing the amount of tax payable by each such person firm association or corporation on all sales deliveries or transfers reported by or on behalf of such person firm association or corporation The amount of tax shown to be due by each such person firm association or corporation by such reports and records shall be paid for the account of the Commonwealth of Pennsylvania to such exchange or affiliated clearing corporation and shall be remitted at least monthly by such exchange or affiliated clearing corporation to the Department of Revenue of the Commonwealth of Pennsylvania together with a report in such form as may be prescribed by the Secretary of Revenue All reports and records herein directed to be made or obtained shall be preserved for such period as the Secretary of Revenue may prescribe The payment of the tax through an exchange or affiliated clearing corporation on each sale transfer or delivery as hereinbefore provided shall be evidenced by a certification in such form and manner as the Secretary of Revenue may prescribe In the event that collection of the tax is effected without the use of stamps as hereinbefore provided all of the provisions of the Act of Assembly of June four one thousand nine hundred fifteen (P. L. 828) as amended not inconsistent with this section shall apply

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lopez,	Reidenbach,
Baker,	Fullerton,	Lovett,	Reilly,
Barrett,	Gaffney,	Lyons,	Reynolds,
Barton,	Gallagher,	Madden,	Riley,
Baumunk,	Gardner,	Madigan,	Robertson,
Bentley,	Getchey,	Mahany,	Root,
Bentzel,	Gibson,	Matthews,	Rose,
Boles,	Goodling,	McAtee,	Royer,
Bonawitz,	Gore,	McClester,	Rudisill,
Boney,	Grant,	McCormack,	Salus,
Boorse,	Green,	McDowell,	Scanlon,
Boory,	Greenwood,	McKinney,	Schuster,
Bower,	Greer,	McLanahan,	Serrill,
Brancato,	Guthrie,	McMillen,	Shaffer,
Breisch,	Gyger,	McNair,	Shoemaker,
Brice,	Haberlen,	McNally,	Skale,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hamilton,	Mikula,	Smith,
Brunner, C. H.,	Hare,	Miller,	Snider,
Brunner, P. A.,	Haudenshield,	Milliken,	Snyder,
Burns,	Heatherington,	Mills,	Sollenberger,
Cadwalader,	Helm,	Modell,	Sorg,
Chervenak,	Hennihan,	Mooney,	Stank,
Chudoff,	Hering,	Moore, C. E.,	Stockham,
Cohen,	Herman,	Moore, W. J.,	Stonier,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Stuart,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,			Speaker.

NAYS—1

Moran,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with ihformation that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 103, Printer's No. 479 and

Senate Bill No. 717, Printer's No. 513,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 604, as follows:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For and during the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostiliies in such wars have ceased school districts shall not be required to award and purchase supplies after public notice by advertisement once a week for three weeks unless such award and purchase shall in the case of school districts of the first class cost one thousand dollars ($1000) and more and in the case of school districts of the second class shall cost five hundred dollars ($500) and more

The board of school directors may purchase supplies costing less than one thousand dollars ($1000) in school districts of the first class less than five hundred dollars ($500) in school districts of the second class and less than three hundred dollars ($300) in school districts of the third and fourth class from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies

Section 2 All constuction reconstruction repairs or work of any nature including the introduction of heating ventilating or lighting systems upon any school building or upon any school property made by any school district of the first or second class need be done under contract or contracts to be entered into by the school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids only where the entire cost value or amount of such construction reconstruction repairs or work including labor and material is one thousand dollars ($1000) or more

The board of school directors in any school district of the first or second class may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars ($1000) either by its own maintenance personnel or by contract after soliciting bids from at least three responsible bidders Provided that the board of school directors in any school district of the first and second class may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is one hundred dollars ($100) or less without soliciting competitive bids

Section 3 This act shall become effective immediately upon final enactment and shall remain in force until June thirty one thousand nine hundred forty-seven

Section 4 All acts and parts of acts inconsistent with this act are hereby suspended so long as this act shall remain in force

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,

Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nagel,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Varallo,
Dalrymple,	Jones,	O'Dare,	Verona,
Dennison,	Kennedy,	O'Donnell,	Wachhaus,
Depuy,	Kirley,	O'Neill,	Wagner,
Dillon,	Kline,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Wescott,
Elder,	Lane,	Polaski,	White,
Elish,	Laughner,	Polen,	Wood, L. H.,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reese D. P.,	Yeakel,
Fleming	Lichtenwalter,	Reagan,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker,
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 757, Printer's No. 457,

was passed over at the request of Mr. ANDREWS.

SENATE MESSAGES

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 563.

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties.

Mr. SORG. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 140.

An Act making an appropriation to aid certain school districts

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "two million dollars ($2,000,000)" and inserting in lieu thereof the following: "one million dollars ($1,000,000)".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lopez,	Reidenbach,
Baker,	Fullerton,	Lovett,	Reilly,
Barrett,	Gaffney,	Lyons,	Reynolds,
Barton,	Gallagher,	Madden,	Riley,
Baumunk,	Gardner,	Madigan,	Robertson,
Bentley,	Getchey,	Mahany,	Root,
Bentzel,	Gibson,	Matthews,	Rose,
Boies,	Goodling,	McAtee,	Royer,
Bonawitz,	Gore,	McClester,	Rudisill,
Boney,	Grant,	McCormack,	Salus,
Boorse,	Green,	McDowell,	Scanlon,
Boory,	Greenwood,	McKinney,	Schuster,
Bower,	Greer,	McLanahan,	Serrill,
Brancato,	Guthrie,	McMillen,	Shaffer,
Breisch,	Gyger,	McNair,	Shoemaker,
Brice,	Haberlen,	McNally,	Skale,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hamilton,	Mikula,	Smith,
Brunner, C. H.,	Hare,	Miller,	Snider,
Brunner, P. A.,	Haudenshield,	Milliken,	Snyder,
Burns,	Heatherington,	Mills,	Sollenberger,
Cadwalader,	Helm,	Modell,	Sorg,
Chervenak,	Hennihan,	Mooney,	Stank,
Chudoff,	Hering,	Moore, C. E.,	Stockham
Cohen,	Herman,	Moore, W. J.,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss, Speaker.
Freed,			

NAYS—1

Moran,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 216.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "one hundred eighty-one thousand five hundred dollars ($181,500)" and inserting in lieu thereof the following: "two hundred thousand dollars ($200,000)".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moore,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nagel,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Varallo,
Dalrymple,	Jones,	O'Dare,	Verona,
Dennison,	Kennedy,	O'Donnell,	Wachhaus,
Depuy,	Kirley,	O'Neill,	Wagner,
Dillon,	Kline,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Wescott,
Elder,	Lane,	Polaski,	White,
Elish,	Laughner,	Polen,	Wood, L. H.,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 511.

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "ten thousand dollars ($10,000)" and inserting in lieu thereof the following: "twenty thousand dollars ($20,000)".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Helm,	Modell,	Sollenberger,
Cadwalader,	Hennihan,	Mooney,	Sorg,
Chervenak,	Hering,	Moore, C. E.,	Stank,
Chudoff,	Herman,	Moore, W. J.,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,

Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Hoopes,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Dague,	James,	O'Connor,	Turbett,
Dalrymple,	Jones,	O'Dare,	Turner,
Dennison,	Kennedy,	O'Donnell,	Varallo,
Depuy,	Kirley,	O'Neill,	Verona,
Dillon,	Kline,	Owens,	Wachhaus,
Dix,	Kolankiewicz,	Pentrack,	Wagner,
Dougherty,	Komorofski,	Petrosky,	Waterhouse,
Duffy,	Krise,	Pettigrew,	Watkins,
Dye,	Kurtz,	Pickens,	Weiss,
Elder,	Laughner,	Polaski,	Welsh,
Elish,	Lee,	Polen,	Wescott,
Erb,	Leisey,	Powers,	White,
Ewing,	Leonard,	Propert,	Wood, L. H.,
Finnerty,	Levy,	Readinger,	Wood, N.,
Flack,	Lichtenwalter,	Reagan,	Worley,
Fleming,	Loftus,	Reese, D. P.,	Wright,
Foor,	Longo,	Reese, R. E.,	Yeakel,
Fox,	Lopez,	Regan,	Fiss,
Freed,			Speaker.

NAYS—5

Heatherington,	Cullen,	Lane,	Yester,
Moran,			

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 423

An Act to amend section two thousand three hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for payment of State appropriations where schools are closed on account of impassable roads

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the word "To" the word "amend" and inserting in lieu thereof the word "add"; also in same line by inserting after the word "eleven" the words "point one"; also by inserting after the last word in the title "roads" the following: "heavy snow or floods or inability to secure fuel for heating".

Amend Section 1, page 2, line 1, by striking out after the figure "1" the following: "Section two thousand three hundred eleven of the" and inserting in lieu thereof the word "the"; also in line 11, by inserting after the word "amended" the following: "by adding after section two thousand three hundred eleven a new section"; also by striking out beginning with line 23 the following:

"Section 2311 When any board of school directors is compelled to close any school or schools on account of any contagious disease impassable roads heavy snow floods the destruction or damage of a school building by fire or otherwise and therefore is unable to keep such school or schools open for the minimum term required by this act the Superintendent of Public Instruction may pay to such school district any or all of its share of the annual State appropriation as he deems proper", and inserting in lieu thereof the following:

"Section 2311.1 When any board of school directors is compelled to close any schools on account of impassable roads heavy snows or floods or inability to secure fuel for heating and therefore is unable to keep such school open for the minimum term required by this act the Superintendent of Public Instruction may pay to such school district any or all of its share of the annual State appropriation as he deems proper".

Amend Section 2, page 2, line 22, by inserting after the word "enactment" the following: "and shall continue in effect for a period of two years thereafter".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ANDREWS. I have looked through my files on my desk, Mr. Speaker, and I am unable to find House Bill 423, Printer's No. 715. It is not in print or it was not at least on file on my desk, and I could not find it. I made a memorandum to that effect.

The SPEAKER pro tempore. For the information of the gentleman from Cambria the Chair is informed that the gentleman from Philadelphia, Mr. Cohen, checked on the bill and said it was on file.

Mr. ANDREWS. In that event will someone explain what the amendments in this case are.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Heatherington.

Mr. HEATHERINGTON. Mr. Speaker, the amendments to House Bill 423 make the bill a law for a two year period only.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,

Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nagel,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Varallo,
Dalrymple,	Jones,	O'Dare,	Verona,
Dennison,	Kennedy,	O'Donnell,	Wachhaus,
Depuy,	Kirley,	O'Neill,	Wagner,
Dillon,	Kline,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Wescott,
Elder,	Lane,	Polaski,	White,
Elish,	Laughner,	Polen,	Wood, L. H.,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 827.

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions and providing for the forfeiture of their office

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend title, page 1, line 2, by striking out after the word "and" the following: "providing for the forfeiture of their office" and inserting in lieu thereof the following: "limiting surcharges to the actual financial loss sustained".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 874.

An Act to further amend the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" providing for associations to be formed by two or more cooperative agricultural associations removing certain limitations on holding of common stock enlarging the powers to purchase stock of certain other

corporations providing for preferred stock in classes differing only as to rate of dividend further regulating preferred stock dividends and patronage refunds further regulating voting right of stockholders requiring filing of summaries of audits imposing penalties and changing the words "Auditor General" to the words "Secretary of Revenue"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 12, line 6, by inserting after the word "indebtedness" the following: "where there is a limitation of the indebtedness in the articles of association"; also in line 23, by inserting after the syllable "ate" the following:

"Any cooperative agricultural association organized under the provisions of this Act where there is no limitation of indebtedness in the articles of association or where by amendment to the articles of association a provision limiting the amount of the indebtedness has been removed desiring to do so shall increase its indebtedness in the following manner The board of directors of the association shall adopt a resolution setting forth the desired increase and directing that the question of the proposed increase be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of increasing the indebtedness of the association shall be given to each shareholder of record at least sixty days before the date of the meeting If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting provided the notice is given at least sixty days before the date of the annual meeting The resolution shall be adopted upon receiving the consent of the persons holding the larger amount in value of the common stock when represented in person or by proxy at such regular or special meeting Nothing herein contained shall be construed to apply to indebtedness contracted in the usual course of business transacted by the association".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nagel,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Varallo,
Dalrymple,	Jones,	O'Dare,	Verona,
Dennison,	Kennedy,	O'Donnell,	Wachhaus,
Depuy,	Kirley,	O'Neill,	Wagner,
Dillon,	Kline,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Wescott,
Elder,	Lane,	Polaski,	White,
Elish,	Laughner,	Polen,	Wood, L. H.,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE REPORTS

Mr. WATKINS, from the Committee on State Government, reported as committed, House Bill No. 1128, entitled:

An Act relating to the sale, transfer, assignment and pledge of accounts receivable; to make financial assistance possible through the assignment of accounts receivable and amounts due or to become due on open accounts or contracts whether or not debtors thereon are notified of such assignments; providing for the rights of such debtors; and providing that non-notification shall not affect or impair such assignment.

Mr. SLOAN, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 355, entitled:

An Act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon, and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties.

Mr. ROYER, from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

Mr. STOCKHAM, from the Committee on Appropriations, reported as committed, Senate Bill No. 524, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

Mr. POWERS, from the Committee on Constitutional Amendments, reported as committed, Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

Mr. KLINE, from the Committee on State Government, reported as committed, Senate Bill No. 748, entitled:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America or any federal agency and placing such lands under the control and supervision of the Department of Forests and Waters.

Mr. ROYER, from the Committee on State Government, reported as committed, Senate Bill No. 760, entitled:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases.

Mr. ROYER, from the Committee on State Government, reported as committed, Senate Bill No. 761, entitled:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled as amended "A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expense from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependants against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases.

Mr. STOCKHAM, from the Committee on Highways, reported as amended, Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury, on the county commissioners and the Department of Highways, and changing the provisions as to reports to the Departments of the Auditor General and Revenue.

BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1128, entitled:

An Act relating to the sale, transfer, assignment and pledge of accounts receivable; to make financial assistance possible through the assignment of accounts receivable and amounts due or to become due on open accounts or contracts whether or not debtors thereon are notified of such assignment; providing for the rights of such debtors; and providing that non-notification shall not affect or impair such assignment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 355, entitled:

An Act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make

uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 748, entitled:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America or any federal agency and placing such lands under the control and supervision of the Department of Forests and Waters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 760, entitled:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled as amended "A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2433) as amended entitled 'An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expense from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependants against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

SAN FRANCISCO CONFERENCE

Messrs. MADDEN and WEISS offered a resolution and asked and obtained unanimous consent that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 1, 1945.

The eyes of the world are upon the city of San Francisco, where is convened the Conference of the United Nations, whose task it is to work out the solution of the tremendous problem of freeing the world from future scourges of war and its attendant inhumanity, privation and pestilence.

A task of this magnitude must have the unqualified support of all the people of each of the Nations represented at the momentous conference. Its success depends in large measure upon the confidence which the rank and file of the various peoples place in the efforts of their representatives who speak for them and who are formulating the plan which alone can guarantee the future security of the world; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, at this its regular session of 1945, hereby express to the delegates of the United States, and of the civilized Nations of the world cooperating with her, at the San Francisco Conference, its full confidence and support in the work which lies before them, and its unqualified faith in the success of their vast undertaking, whereby the tragedy of the past six years shall never again recur, and that all wars that may be attempted by agressor Nations in years to come will at once be subdued before they can spread to other countries or envelop the entire world; and be it further

Resolved, That a copy of these resolutions, certified by the Chief Clerk of this House, be transmitted to the

Honorable Edward R. Stettinius, Jr., Secretary of State of the United States, and Chairman of the American Delegation at the San Francisco Conference.

The SPEAKER pro tempore. The resolution lies over for printing under the Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 61, 95, 621, 795, 824 and 1170

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 61, Printer's No. 153, entitled "An Act to amend section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by clarifying certain definitions and authorizing reimbursement by the Commonwealth in certain cases."

EDWARD MARTIN.

May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 95, Printer's No. 134, entitled "An Act conferring upon the Council of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts."

EDWARD MARTIN.

May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 621, Printer's No. 145, entitled "An Act to add clause six and one-tenth to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' permitting employes having out-of-state service to make an additional contribution to procure an extra employes' annuity and regulating the same."

EDWARD MARTIN.

May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 795, Printer's No. 385, entitled "An Act to further amend clause (f) of section two hundred one and to add clause (n) to section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended 'An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws' by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources."

EDWARD MARTIN.

May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 824, Printer's No. 367, entitled "An Act to repeal certain statutes relating to weights and measures."

EDWARD MARTIN.

May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1170, Printer's No. 338, entitled "An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives."

EDWARD MARTIN.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for presiding.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their

powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business croporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commission, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by adding to Article III, Section three hundred two thereof a new subsection to be designated as (sixteen), empowering every business corporation to make contributions, out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

On the question,

Shall the bill pass finally?

Mr. SORG. Mr. Speaker, I just want to say for the information of the House that this is a bill which was discussed several weeks ago and some objectional features found. With the very able advice of the gentleman from Philadelphia, Mr. Cohen, we have been able to arrive at satisfactory amendments, which I understand remove the objections of the other side to this bill.

Mr. HUNTLEY. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. HUNTLEY. Mr. Speaker, how much taxable property will this bill remove from the income tax?

Mr. SORG. Mr. Speaker, I didn't understand the gentleman's question.

Mr. HUNTLEY. How much taxable property will this bill, if it passes, remove on which income tax is now paid?

Mr. SORG. Only the amount permitted under the Revenue Act, Mr. Speaker, five percent.

Mr. HUNTLEY. How much is the gross income of the corporations of this state?

Mr. SORG. Does the gentleman mean how much are they permitted to make?

Mr. HUNTLEY. How much is the gross income of the corporations of this state, Mr. Speaker?

Mr. SORG. I do not know that.

Mr. HUNTLEY. Well, if it amounted to——

Mr. SORG. Mr. Speaker, it will not in any way change the revenue of the state of Pennsylvania.

Mr. HUNTLEY. If it amounted to six billion dollars it would remove from this state at least eight hundred million dollars on which we now collect taxes, and I claim that you are just draining off the corporate income that would now pay taxes, it will have to be paid some other way, and it will probably be switched to the individual income tax. I claim the corporations ought to pay the income tax because they are the ones that earn it, and it ought to be paid where it is earned and not switched off to the individuals. This bill, I think, is a bill that is going to reduce the revenues of our state, and it will do no good as far as I can see, only help a few corporations that probably have overstepped the mark and want to get a clean bill of health.

Mr. ANDREWS. Mr. Speaker, my principal objection to this bill at the present time is that I have not been able to read the amendments. It is not in my file, I believe, and it is not in Mr. Cohen's file of bills.

Mr. Cohen has been very much interested in these amendments. I asked him to get them and let us see what these amendments do. He does not have a bill, and the Members here do not have a copy of the bill. We are accepting these amendments on report. They are too darn private. I would like to know what they are.

Mr. SORG. Mr. Speaker, the amendments were inserted at the suggestion of the gentleman from Philadelphia, and before the amendments were offered copies were supplied. It is my understanding that they were satisfied that they met the objection made previously.

Mr. ANDREWS. That is my objection to voting on the bill.

The SPEAKER. The Chair concurs with the gentleman if the bill is not on file.

Mr. ANDREWS. Mr. Speaker, that is my objection to voting on the bill at the present time.

BILL PASSED OVER

There being no objection,

House Bill No. 717, Printer's No. 720,

was passed over at the request of the SPEAKER.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce that Mrs. Josephine Coyle's son, Private First Class Joseph L. Coyle, was wounded in action in Italy. She just received word he was sent home to a hospital in South Carolina.

CHIEF CLERK'S DINNER

The SPEAKER. The Chair wishes to announce that the Chief Clerk's dinner will be held Friday, May 4, 1945, at 7:30 p. m. in the Penn-Harris Hotel.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 48.

An Act to further amend section four hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the

disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting trailers and semi-trailers from registration when used exclusively for the business of farming

HOUSE BILL No. 69.

An Act making an appropriation to the Trustees of the University of Pennsylvania

HOUSE BILL No. 86.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

HOUSE BILL No. 87.

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

HOUSE BILL No. 88.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property

HOUSE BILL No. 90.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

HOUSE BILL No. 91.

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

HOUSE BILL No. 141.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

HOUSE BILL No. 142.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

HOUSE BILL No. 145.

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

HOUSE BILL No. 147.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

HOUSE BILL No. 151.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

HOUSE BILL No. 152.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

HOUSE BILL No. 153.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

HOUSE BILL No. 157.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the support of the School of Veterinary Medicine

HOUSE BILL No. 158.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

HOUSE BILL No. 160.

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto

HOUSE BILL No. 168.

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

HOUSE BILL No. 174.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five

HOUSE BILL No. 214.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

HOUSE BILL No. 215.

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania

HOUSE BILL No. 324.

An Act making an appropriation to the Pennsylvania Historical Commission for the improvements of the Daniel Boone Homestead

HOUSE BILL No. 325.

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property.

HOUSE BILL No. 386.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission to further complete restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

HOUSE BILL No. 399.

An Act making an appropriation to the Pennsylvania Historical Commission for essential repairs and other steps immediately necessary to preserve certain structures at the Ephrata Cloister an important historical shrine belonging to the Commonwealth

HOUSE BILL No. 434.

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

HOUSE BILL No. 482.

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" by appropriating funds from the Motor License Fund for the construction of said bridge

HOUSE BILL No. 494.

An Act making an appropriation to the Local Government to continue its work

HOUSE BILL No. 815.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

HOUSE BILL No. 817.

An Act making appropriations to the Department of Property and Supplies for the further restoration improvement and equipment of the Pottsgrove Mansion in the Borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission

HOUSE BILL No. 821.

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

HOUSE BILL No. 826.

An Act making an appropriation to the Department of Health to pay the costs of continuing its health programs in full under certain conditions and prohibiting the Department to accept Federal funds under certain conditions

HOUSE BILL No. 844.

An Act to amend section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act

HOUSE BILL No. 868.

An Act making an appropriation to the Pennsylvania Historical Commission for the construction of a driveway at the Ephrata Cloisters

HOUSE BILL No. 869.

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

HOUSE BILL No. 992.

An Act making an appropriation to the Pennsylvania Historical Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

HOUSE BILL No. 1052.

An Act authorizing the compromise and final settlement of claims and suits for the collection of inheritance taxes upon the estate of decedents and claims and suits for the escheat of such estates

HOUSE BILL No. 1085.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing Route 53073 in Schuylkill County

Whereupon, The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. HOWELLS. Mr. Speaker, I move that this House do now adjourn until Thursday, May 3, 1945, at 11 a. m.

The motion was agreed to, and (at 8:03 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

THURSDAY, May 3, 1945.

The Senate met at 1:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

To the eternal and unchanging God whose nature is love we pray, and our prayer is that in this respect we may be like thee. We confess to many failures in acts that are contrary to thy nature. Our human nature too often surrenders to selfishness, passion and hasty judgment. We pray for that character, rooted in love, that will keep us from exhibiting these unlovely traits. In all our relations as citizens of a great nation and great state, as members of a community and family may we learn by practice that "Love is the fulfilling of the law." There is no substitute for this.

May this divine quality be adopted in all the deliberations and acts of the World Conference now in session. Convince the members of that Conference that narrow nationalism and selfish imperialism will breed dissension whose legitimate offspring is war. Our generation has experienced the death and destruction that war produces. May our plans to prevent a repetition of such a tragedy meet with God's approval.

May our national and state legislatures assist in every possible way that righteousness, with justice for all, dominate in all our civil and political life.

We pray for President Truman. Endow him with all the qualities necessary to the conduct of his high office.

We pray for our Governor and Lieutenant-Governor. To them grant thy Spirit of wisdom and of love.

In the name of the Great Lover. Amen.

CALL OF THE SENATE

Mr. HALUSKA. Mr. President, to determine whether or not a quorum is present and the session may continue, I request that the roll be called to see whether we have a quorum present.

(The Senate was at ease)

CALL OF THE SENATE WITHDRAWN

Mr. HALUSKA. Mr. President, I now withdraw my request that the roll be called because, according to my count, we now have a quorum and I will save the Senate that time.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. TALLMAN, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 496, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying vocational training and required medical education, and authorizing the State Council for the Blind to accept grants and contributions in furtherance of such purposes.

Which was committed to the Committee on Appropriations.

House Bill No. 751, entitled:

An Act to amend section two hundred thirty-three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law," by providing for the appointment of additional deputy registers of wills.

Which was committed to the Committee on County Government.

House Bill No. 875, entitled:

An Act to further amend section nine of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," further clarifying the provisions thereof as to the discharge of liens against property by a tax sale.

Which was committed to the Committee on Judiciary General.

House Bill No. 1120, entitled:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of prop-

erty connected therewith, the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor, fixing their salaries and qualifications, providing for the purchase of trucks and necessary equipment to carry on the work, and making an appropriation therefor.

Which was committed to the Committee on Mines and Mining.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

He also informed the Senate that the House had adopted the report of Committee of Conference on House Bill No. 1, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1, entitled: "An act to amend the title and certain sections and to add certain new sections to the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled 'An act to preserve and improve the purity of the waters of the Commonwealth * * *,' by changing the definitions of 'establishment' and 'industrial waste' by changing penalties for violations, and requiring prosecutions to be instituted or approved by the Attorney General, by prohibiting the discharge of silt into any waters of the Commonwealth, and regulating the discharge of acid mine drainage into waters thereof; authorizing the Sanitary Water Board to estalish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening, reopening or extending coal mines, by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or rights of ways, and the acquisition or construction of pipes, conduits, drains or tunnels and pumps and pumping equipment; and providing for the payment of the costs thereof by the Commonwealth."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN,
FRANK W. RUTH,
J. LEO THOMAS,
(Committee on the Part of the Senate.)

CHARLES H. BRUNNER, JR.,
HERBERT P. SORG,
REUBEN E. COHEN,
(Committee on the part of the House of Representatives.)

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of "establishment" and "industrial waste" by changing and adding penalties for violations and requiring certain prosecutions to be instituted or approved by the Attorney General by prohiiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authoriping the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans of drainage and disposal of industrial waste and acid mine drainage before opening reopening or continuing the operation of coal mines and the changing of approved plans by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" is hereby amended to read as follows

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts [magistrates aldermen and justices of the peace] in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder [and] providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board

Section 2 Section one of said act is hereby amended to read as follows

Section 1 Definitions Be it enacted etc. That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" shall be construed to mean the Sanitary Water Board in the Department of Health or its duly constituted successor

"Establishment" shall be construed to include any industrial establishment mill factory tannery paper or pulp mill garage oil refinery oil well boat vessel mine coal mine coal colliery breaker or coal processing operations not including dredging operations within the limits of a stream quarry and each and every other industry or plant or works in the operation of which industrial wastes are produced

"Industrial waste" shall be construed to mean any liquid gaseous or solid substance not sewage resulting from any manufacturing or industry or from any establishment as herein defined which causes pollution as hereinafter de-

fined and silt coal mine solids rock debris dirt and clay from coal mines coal collieries breakers or other coal processing operations

"Institution" shall include healing preventive mental health educational correctional and penal institutions almshouses and county and city homes operated by the State or any political subdivision thereof and whose sewage is not admitted to a public sewer system

"Municipality" or "municipal" shall be construed to include any county county authority municipal authority city borough town township school district and institution as above defined

"Person" shall be construed to include any person copartnership association or private corporation

"Pollution" shall be construed to mean noxious and deleterious substances rendering unclean the waters of the Commonwealth to the extent of being harmful or inimical to the public health or to animal or aquatic life or to the use of such waters for domestic water supply or industrial purposes or for recreation The Sanitary Water Board shall determine when the discharge of any industrial waste or the effluent therefrom constitutes pollution as herein defined and shall establish standards whereby and wherefrom so far as reasonably practicable and possible it can be ascertained and determined whether any such discharge does or does not constitute pollution as herein defined

"Sewage" shall be construed to include any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals

"Waters of the Commonwealth" shall be construed to include any and all rivers streams creeks rivulets lakes dammed water ponds springs and all other bodies of surface and underground water or parts thereof whether natural or artificial within or on the boundaries of this Commonwealth

Section 3 Section three hundred two of said act is hereby amended to read as follows

Section 302 Existing Industrial Waste Discharges All persons who at the time of the passage of this act are discharging industrial waste into any of the waters of the Commonwealth shall discontinue the discharge of such industrial waste into said waters [or into any municipal sewer system] on notice from the board when after due investigation the board shall declare the discharge of such industrial waste is or may become inimical or injurious to the public health or to animal or aquatic life or prevent the use of waters for domestic industrial or recreational purposes Provided That any discharge that is inimical and injurious to the public health or to animal or aquatic life or to the use of the water for domestic or industrial consumption or recreational purposes shall nevertheless be deemed unlawful and a nuisance whether the board shall so declare or not

Whenever the Sanitary Water Board shall determine upon cause shown that certain existing industrial waste discharges cannot be eliminated due to inability to procure necessary labor materials or equipment arising out of exigencies created by the present war in which the United States is engaged such industrial waste discharges shall not become unlawful until such time as the Sanitary Water Board shall set after the Board determines that such labor materials or equipment are available but the time so set shall in no event be more than one year after the board determines such labor materials or equipment are available

Section 4 Section three hundred seven of said act is hereby amended to read as follows

Section 307 Regulation of Establishments Erected or Opened or Reopened in the Future No person shall hereafter erect construct or open or reopen or operate any establishment which in its operation results in the discharge of industrial wastes which would flow or be discharged into any of the waters of the Commonwealth and thereby cause a pollution of the same unless such person shall first provide proper and adequate treatment works for the treatment of such industrial wastes approved by the board so that if and when flowing or discharged into the waters of the Commonwealth the effluent thereof shall not be inimical or injurious to the public health or to animal or aquatic life or prevent the use of water for domestic industrial or recreational purposes except when in the opinion of the board such industrial waste is not inimical or injurious to the public health or to animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and shall grant a permit for the discharge of such industrial waste into the waters of the Commonwealth But no permit shall ever be issued by the board authorizing the discharge of untreated industrial waste into the clean waters of the State as above defined Public notice of every application for a permit under this section shall be given by notice published in a newspaper of general circulation published in the county where the permit is applied for once a week for four weeks But any such permit shall be revocable or subject to modification and change by the board at any time thereafter upon reasonable notice served personally or by registered mail addressed to the last known post-office address of the holder of the permit and the owner or operator of such establishment may be required to insall treatment works approved by the board for the treatment of such industrial waste or for the deposition of solids in such industrial waste in the manner and to the extent as the board may require The discharge of industrial waste into any of the waters of the Commonwealth from any such establishment contrary to the provisions of this section or without a permit or after the time fixed in the notice of the board when a permit is revoked or in violation of any modification thereof is hereby declared to be a nuisance and to be punishable and abatable as herein provided [The provisions of this section shall not apply to establishments existing at the date of the approval of this act which may hereafter be temporarily closed for a period not exceeding six months]

Section 5 Section three hundred nine of said act is hereby amended to read as follows

Section 309 Penalties [Any person who shall discharge any industrial wastes into the waters of the Commonwealth after the board shall have given notice to discontinue the same as provided in section three hundred two shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and a further fine of ten dollars per day for each day the offense is continued and in default of the payment of such fine and costs the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof may be imprisoned in the county jail for a period not exceeding sixty days]

Any person who shall [continue to] discharge any industrial waste or acid mine drainage into any of the waters of the Commonwealth contrary to the provisions of this act [after conviction in a summary proceeding as above provided] shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of any county in which industrial wastes were discharged or introduced into the waters of the Commonwealth or in which such industrial wastes continue to pollute such waters shall be sentenced to pay a fine of not less than [five] one hundred dollars nor more than [one] five thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year All prosecutions under the penal provisions herein set forth shall be instituted and prosecuted by the Attorney General or by and with his written consent

Section 6 Section three hundred ten of said act is hereby amended to read as follows

Section 310 Acid Mine Drainage [and Silt The] Except as hereinafter provided the provisions of this article

shall not apply to acid mine drainage [and silt] from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known

It shall be unlawful and a nuisance to discharge or to permit the discharge of acid mine drainage (1) into "clean waters" of the Commonwealth which are being devoted or put to public use at the time of such discharge or (2) into "clean waters" of the Commonwealth unless the Commonwealth after the Sanitary Water Board has approved plans of drainage pursuant to section three hundred thirteen hereof and has set a reasonable time not to exceed one year within which such pipes conduits drains tunnels or pumps as may be necessary to receive such acid mine drainage at the point or points where such acid mine drainage is delivered as provided in this section shall be constructed and put into operation by the Commonwealth has failed to construct and put into operation the same within such time Provided That nothing in this amendatory act shall be construed to limit or affect the provisions of section seven hundred one of the act to which it is an amendment

Whenever the Commonwealth shall provide pipes conduits drains tunnels or pumps to transport and divert acid mine drainage such acid mine drainage shall be delivered to such pipes conduits drains tunnels or pumps at the place or location designated by the Sanitary Water Board after consultation with the Department of Mines and the person or persons operating the mine

Section 7 Said act is hereby amended by adding after section three hundred ten thereof three new sections to be known as sections three hundred eleven three hundred twelve and three hundred thirteen to read as follows

Section 311 Authorizing the Sanitary Water Board to Acquire Easements and Right of Ways by Purchase or Condemnation or Otherwise Whenever in the opinion of the Sanitary Water Board the pollution by acid mine drainage of waters which were "clean waters" on or subsequent to the first day of January one thousand nine hundred forty-four can be prevented by diverting the discharge of acid mine drainage into polluted or unclean waters the Sanitary Water Board with the approval of the Governor and the Attorney General is hereby authorized and empowered in the public interest to acquire by purchase or eminent domain or otherwise easements or right of ways over under or through lands to be used for the transportation and diversion of the discharge of acid mine drainage into such polluted or unclean waters In such cases the Commonwealth shall pay the cost of the acquisition of such easements and right of ways and of such pipes conduits drains or tunnels and such pumps and pumping equipment as may be necessary or proper to transport and divert such acid mine drainage after it has been delivered to the pipes conduits drains or tunnels aforesaid and of the operation and maintenance thereof including such pumping of the drainage as may be necessary

Section 312 Condemnation Proceedings The Sanitary Water Board is hereby empowered to acquire by purchase or condemnation easements and right of ways for the purposes hereinbefore set forth

Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the Sanitary Water Board in accordance with the provisions of this act is hereby authorized and empowered to acquire by condemnation easements and right of ways deemed necessary or convenient to dispose of acid mine drainage so as to prevent the same from entering any clean waters of the Commonwealth in the manner hereinafter provided In such event application shall be made by the Sanitary Water Board acting through the Department of Justice or by the owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General or to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such easements or right of ways and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the easements or right of ways they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the board to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the board acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after final action on the report by the court the board acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the board shall be taken in the name of the Commonwealth

In addition to the foregoing powers the board and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass

Whenever the board decides to acquire any such easements or right of ways by condemnation as hereinbefore provided the board shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the board may proceed to obtain possession in the manner now provided by law

Section 313 Approval of Plans of Drainage Before any existing or new coal mine may be opened or reopened

and before any existing coal mine may be continued in operation a plan of the proposed drainage and disposal of industrial wastes and acid mines drainage of such mine shall be submitted to the Sanitary Water Board and it shall be unlawful to open or reopen any such mine or to continue the operation of any mine or to change or alter any already approved plan of drainage and disposal of industrial wastes and acid mine drainage from such mine unless and until the Board after consultation with the Department of Mines has approved such plan or change of plan Provided however that this section shall not apply to the continuation of the operation of an existing mine until sixty (60) days after the effective date of this act

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year

Section 8 This act shall take effect immediately upon final enactment

MOTION THAT SENATE ADOPT REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

Mr. HEYBURN. Mr. President, the Conference Committee Report on House Bill No. 1 is printed and on the desks of the Senators.

I move that the Senate do now adopt the report of the Committee of Conference on House Bill No. 1.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. JONES. I call to the attention of the President and the members of the Senate that rule of the Senate which provides, on the question of concurrence in amendments by the House, that the bill together with the amendments shall be in the files of the Senators and particularly referred to on their calendars. There is no calendar which refers to this House bill and therefore I ask that it go over in order.

The PRESIDENT. To what rule does the gentleman from Luzerne refer?

Mr. JONES. Rule No. 21.

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Delaware will state his point of order.

Mr. HEYBURN. My point, Mr. President, is that this is not a bill on concurrence in House amendments. This is a report of a committee of conference and therefore is not covered by the rule cited by the gentleman from Luzerne.

The PRESIDENT. The Chair sustains the objection of the gentleman from Luzerne, Senator Jones, and calls attention of the members of the Senate to Senate Rule 21, which clearly, expressly and specifically covers this subject. Senate Rule 21 reads as follows:

"21. That the vote on concurring in bills amended by the House or on adopting reports of committees of conference, shall not be taken until said bills and reports have been placed on the files of Senators, and particularly referred to on their calendars."

The report of the committee on conference on House Bill No. 1 will be noted on tomorrow's calendar.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 374 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 140

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 140, entitled:

An Act making an appropriation to aid certain school districts.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 216

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 423

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 423, entitled:

An Act to amend section two thousand three hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for payment of State appropriations where schools are closed on account of impassable roads.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 511

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 827

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 827, entitled:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions; providing for the forfeiture of their office; and imposing penalties for certain actions and omissions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 874

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 874, entitled:

An Act to further amend the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "Cooperative Agricultural Stock Association Law," providing for associtions to be formed by two or more cooperative agricultural associations, removing certain limitations on holding of common stock; enlarging the powers to purchase stock of certain other corporations; providing for preferred stock in classes differing only as to rate of dividend, further regulating preferred stock dividends and patronage refunds; further regulating voting rights of stockholders, requiring filing of summaries of audits; imposing penalties, and changing the words "Auditor General" to the words "Secretary of Revenue."

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 563

He also informed the Senate that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 563

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its non-concurrence in amendments made by the House to Senate Bill No. 563 and that a conference committee be appointed.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 563

The PRESIDENT. The Chair announces that the President pro tempore appoints Messrs. KEPHART, CRIDER, and WOODRING as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to Senate Bill No. 563.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

SENATE BILL No. 573 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 573, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tommorrow's Calendar.

SENATE BILL No. 574 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tommorrow's Calendar.

SENATE BILL No. 604 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 537

He also returned to the Senate, Senate Bill No. 537, entitled:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," providing for payment of the compensation of local registrars by the Commonwealth, and relieving counties from such payments.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 590

He also returned to the Senate, Senate Bill No. 590, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 721

He also returned to the Senate, Senate Bill No. 721, entitled:

An Act to further amend section two hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating when a director may be elected solicitor to the board.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 48, entitled:

An Act to further amend section four hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by exempting trailers and semi-trailers from registration when used exclusively for the business of farming.

House Bill No. 69, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 78, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), as reenacted and amended, entitled "State Personal Property Tax Act," by excepting and excluding therefrom the obligations of municipal corporations.

House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

House Bill No. 87, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located East Falls, Philadelphia, Pennsylvania.

House Bill No. 88, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

House Bill No. 90, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

House Bill No. 91, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Senate Bill No. 118, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a lot or piece of land in the borough of Edinboro, Erie County, Pennsylvania.

House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth, and the expenses incident to this office.

House Bill No. 141, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

House Bill No. 142, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

House Bill No. 145, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

House Bill No. 147, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeoman (female) and nurses.

House Bill No. 151, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

House Bill No. 152, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 153, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

House Bill No. 157, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the support of the School of Veterinary Medicine.

House Bill No. 158, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

House Bill No. 160, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto.

House Bill No. 168, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

House Bill No. 174, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid in May thirty-first one thousand nine hundred forty-five.

House Bill No. 211, entitled:

An Act providing for and regulating the appointment, promotion, and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated town and townships of the first class; imposing penalties; and repealing inconsistent laws.

House Bill No. 214, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

House Bill No. 215, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania.

Senate Bill No. 293, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1787—No. 591), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing the amount which the counties will receive from the State for forest reserves.

House Bill No. 324, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvements of the Daniel Boone Homestead.

House Bill No. 325, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways, for roads, paths and parking areas on the Daniel Boone Homestead property.

House Bill No. 386, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission to further complete restoration and preparing for public use as a museum the proprety at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society and known as "Old Economy."

House Bill No. 399, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for essential repairs and other steps immediately necessary to preserve certain structures at the Ephrata Cloister, an important historical shrine belonging to the Commonwealth.

Senate Bill No. 426, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers.

House Bill No. 434, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park," and prescribing the uses to be made of such land.

Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants

and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" by imposing upon the Department of Welfare the duty to investitgate the subject of crime prevention and to stimulate develop and coordinate crime prevention activities in this Commonwealth.

Senate Bill No. 476, entitled:

An Act to amend section five hundred ninety of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

House Bill No. 482, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a port war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," by appropriating funds from the Motor License Fund for the construction of said bridge.

House Bill No. 494, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal; and fixing the sum allowed therefor.

Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled; "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, dismissal, suspension, demotion and retirement of professional employes.

Senate Bill No. 644, entitled:

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properites liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the payment of interest in certain claims.

House Bill No. 696, entitled:

An Act to further amend sections one, two, three, and four of the act approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended, "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein

Senate Bill No. 714, entitled:

An Act to amend sections eight, nine and thirteen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing additional purposes for which turnpike revenue bonds may be issued regulating the sale and use of the proceeds thereof and regulating the issuance of turnpike revenue refunding bonds

Senate Bill No. 722, entitled:

An Act to amend the act approved the fifteenth day of March, one thousand eight hundred ninety-nine (P. L. 8) entitled, "An act to regulate the manner in which appropriaitons to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid," by further regulating appropriations made to land grant colleges.

House Bill No. 815, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 817, entitled:

An Act making appropriations to the Department of Property and Supplies for the further restoration, improvement and equipment of the Pottsgrove Mansion in the Borough of Pottstown, on the advice and subject to the approval of the Pennsylvania Historical Commission.

House Bill No. 821, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

House Bill No. 826, entitled:

An Act making an appropriation to the Department of Health to pay the costs of continuing its health programs in full, under certain conditions, and prohibiting the Department to accept Federal funds under certain conditions.

House Bill No. 844, entitled:

An Act to amend section ten of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities; and regulating the administration and the payment of such pensions," including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act.

House Bill No. 868, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the construction of a driveway at the Ephrata Cloisters.

House Bill No. 869, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

House Bill No. 1017, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons, copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adultered or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties.

House Bill No. 1052, entitled:

An Act authorizing the compromise and final settlement of claims and suits for the collection of inheritance taxes upon the estate of decedents and claims and suits for the escheat of such estates.

House Bill No. 1085, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing Route 53073 in Schuylkill County.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. STEVENSON, from the Committee on Municipal Government, reported as committed, House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, the calendar is not yet up from the printer, so we can not consider it. I was wondering whether there were some speeches.

Mr. STIEFEL. Mr. President, my speech is not ready yet but I hope the gentleman from Delaware, Senator Heyburn, will have no objection if I will deliver my speech later in the afternoon. I am now working on it and I am sure he will enjoy the result of it.

Mr. HEYBURN. Mr. President, there seems to be a rumor around the Senate that Senator Haluska wants to make a speech and I am wondering if he would care to make his speech now.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated.

Mr. HEYBURN. I will.

Mr. HALUSKA. I would like to ask the gentleman on what subject?

Mr. HEYBURN. Mr. President, the rumor seems to be that Senator Haluska is going to speak on Dr. Chapman's hospital appropriations.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I have been intending to speak on the hospital appropriation bill and if the Senate will now listen to me I shall make my speech now.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, I would like to have the attention of the Senate because what I am going to speak on I am vitally interested in.

Mr. President, House Bill No. 1278, dealing directly with hospital appropriations, has been brought to my attention and I have been advised that the Miners' Hospital of Northern Cambria has been awarded an appropriation of $45,000.

Mr. President, this hospital serves the northern part of Cambria county, the southern part of Clearfield county, and the eastern part of Indiana county. This hospital is about to close its doors because of lack of funds.

A year and half ago the doctors of that hospital and the people of the community called upon me to take it over, to act in the capacity of superintendent, to try to save the institution. I found out at that time that lack of money, of course, was the answer, and I immediately set out on a program to raise much needed funds. I went to all the school teachers of my county and asked them to put on a "dime day", which they did, and each and every kiddy in the northern part of Cambria county came to the hospital with a dime; businessmen, coal operators, and people on the streets gave cheerfully to tide us over, up until the time we came back to this session, at which time I had promised I would put forth their cause before

the General Assembly.

Early in January I spoke to my good friend from Warren, Dr. Chapman, and informed him of our plight. I asked him to give me permission to plead my cause when his Committee on Appropriations would have a meeting. I had assurance I would be given that privilege. In the meantime the good Doctor asked me to contact his Secretary, Mr. Stoner, and place my case before him, which I did. Mr. Stoner, without much figuring, said "you are getting $45,000 and that is the answer."

I went back and contacted Mr. Wood, a member of the House and Chairman of the House Committee on Appropriations. I came back and again contacted the good Doctor, and I kept doing that every week, knowing full well that the day would come when we would pass upon these hospital appropriations.

A few months ago Dr. Chapman introduced in this body a concurrent resolution, which was passed by both branches of this General Assembly, raising the per diem basis from $3.50 to $4, stating very specifically that many hospitals in the Commonwealth could not earn their appropriations and for that reason the per diem rate must be raised. That statement was correct. We all voted for that resolution.

Being superintendent of a hospital, I have some knowledge of what it takes to house a patient in my hospital. It costs us $4.65 per day. Other hospitals cost accordingly.

However, Mr. President, regardless of the appropriation that might be given to any hospital, that hospital must earn its appropriation, so giving an appropriation is one thing but earning that appropriation is another thing.

I say, and I charge on this floor, Mr. President, that the Miners' Hospital of Northern Cambria has received less per patient than any hospital in the Commonwealth of Pennsylvania. While you are trying to raise the per diem rate from $3.50 to $4, I have figures that show my hospital was awarded $1.79½ per patient a day.

I am certain that every member of this Senate wants to be fair. I am appealing my case to this membership on the basis that I will get fair play. We can not hope to continue; we have scratched bottom; the people have given cheerfully, but there must be an end to giving.

I do not know how they arrive at how much money a hospital might get, but I have been told that they take the list—and it is authentic; it is checked by the Auditor General and by the Department of Welfare—and upon their free patient days they shall now be awarded $4 per day.

If that be true, and if that is the intention of Dr. Chapman's committee, my hospital has 25,845 free patient days and we are entitled to an appropriation of $103,380.

Dr. Chapman has also told me there must be some sense of responsibility back home and it may be wise that we do not appropriate the full $4 per day—let us make the people back home conscious that they must give too. So, while you are making appropriations to some hospitals on the $4 basis, bring our hospital down to $3.50 per day and we are still entitled to $90,000; bring it down to $3 per day and we are entitled to $80,000. But the appropriation, gentlemen, which has been awarded to the Miners' Hospital brings it down to $1.79½ a day.

I am certain that no man sitting in this chamber will agree that our hospital is getting fair treatment. I am not charging that is Dr. Chapman's fault. He placed it in the hands of his secretary and for some unknown reason that secretary said "we shall give you 78 per cent of your free patient days." I undestood him to say that all hospitals will be given 78 per cent and the balance of it must be made up by the community.

Mr. President, were we to get 78 per cent we should have at least $78,000 but, low and behold, after making that statement, he tells me we will get $45,000.

Mr. President and members of the Senate, I know you have no desire to amend your appropriation bill, but I have an amendment prepared. I am only asking this body for fair play. Give our hospital the sum of $65,000 and I will take it upon myself to carry on, throughout the biennium. That would be giving us less than $3 per day, about $2.65 per day. Are we entitled to that? If not, we definitely must close our doors. We can not hope to serve our three county area by getting $1.79½ per day per patient. This is impossible, Mr. President, and every man here knows it; Dr. Chapman knows it and his secretary knows it, and I am sure the Governor knows that is true.

How can you sit here, gentlemen, and let us go back and close the doors of this institution? When I left home Sunday morning we had four boys from the Pacific brought in, men who fought for our country. We are trying to do our job. We are trying to take care of the sick; we are trying to take care of the wounded; we have a job to do, we want to do it, but we can not do it out of our own pockets. We want no profits. All we are trying to do is to serve our community.

So, Mr. President, I am going to offer an amendment and when the bill comes up for action I hope the Majority Party will realize the importance of my appeal. This is an appeal which does not mean a thing to me personally, except that I happen to live in that community and it is my duty to bring their case before the General Assembly. I am sure, if you consider this case, I will have a sympathetic hearing. That is all I want. I want this hospital to operate, the same as you do. We can not afford to close its doors. The nearest hospital is at Johnstown, forty some miles away. We serve the borough of Spangler, a community of about 3,500, and also adjacent communities; the population we serve is about 35,000 and we are the only hospital in that section.

The aisles of our hospital are crowded, there is no place to put the sick, so we can not afford to close the doors of our hospital. We must have help. We must have your help, gentlemen, and I trust that each and every one of you will pay some attention to what I have said and consider an amendment giving our hospital twenty thousand additional dollars, which still will be less than $3 per day, while you are giving other hospitals $4 per day.

When the bill comes up for action this afternoon, Mr. President, I shall offer my amendment and I trust that the Majority Party will give me an opportunity to amend that bill. We can still pass that bill, today, tomorrow and Saturday.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I want to raise a point of information with the Chair, if I may.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, in connection with House Bill 1278, the bill under discussion, which is not on the calendar, I understand that—my point is: can the Governor deduct, add or balance that appropriation bill, in case he so desired, to take care of the Miners' Hospital.

Mr. HEYBURN. Mr. President, if the question was as I understood it—could the Governor add or deduct

Mr. HALUSKA. Or balance.

Mr. HEYBURN. I understand the Governor can not add anything to an appropriation bill; he can cut it down.

Mr. HALUSKA. Mr. President, may I further interrogate the gentleman from Delaware? This is a matter of information.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. HALUSKA. Mr. President, I understand that under the Constitution the Governor can not add an amount to a bill as a whole, but, after we give him a certain figure on these several hospitals, could the Governor, by keeping within the total amount, balance by cutting down one hospital and raising another hospital? Could he do that?

Mr. HEYBURN. I do not think so, Mr. President. However, for the information of the gentleman from Cambria, Dr. Chapman is probably one of the best legislators in the Senate on appropriations. I am not quite sure.

Mr. HALUSKA. I will ask that question of Dr. Chapman. May I interrogate the gentleman from Warren?

The PRESIDENT. Will the gentleman from Warren permit himself to be interrogated?

Mr. CHAPMAN. I will, Mr. President.

Mr. HALUSKA. Can the gentleman from Warren tell us whether or not the Governor could equalize an appropriation bill regarding hospitals.

Mr. CHAPMAN. No, Mr. President.

Mr. HALUSKA. By making some adjustments?

Mr. CHAPMAN. The Governor can reduce an appropriation but he can not increase it.

Mr. HALUSKA. I understand he can not increase the main amount, but could he make adjustments.

Mr. CHAPMAN. Mr. President, we are now $5,000 over the allocation on the hospital bill. I do not know how the Governor could make any adjustment.

Mr. HALUSKA. After all, every member of this body certainly wants to be fair and if we can find some way in our mechanics to adjust this situation, I think every Senator here would be willing to make an adjustment.

I noticed that one of the hospitals received an increase of $35,000—that is quite an increase, $35,000—but here we have an institution that is ready to fold its doors and all they want is actually what you say we shall give them. The proof is that we agreed to give the hospitals $4. we will settle for $2.50. But how could you give one hospital $4. and another hospital $1.79 for the same service?

Certainly there must be some fairness here. I can not believe my colleagues will sit by idly and let me talk, when this is a cry from the wilderness. We are asking for your help, we must have your help, gentleman, on a fair basis, so between now and the time this bill comes up for action I hope some of my friends on the other side will sit down and go into this matter and determine for themselves whether I have a just cause or not. I have all the figures here to show, gentlemen, that we must have your help and now, when we are about to take a recess, would be a fine time to sit down and talk this matter over.

Mr. WOODWARD. Instead of interrogation may I ask a simple question of the Senator?

Do I understand, Senator, that you are being discriminated against in your hospital? I thought there was a well established formula of the Department of Welfare that settled these questions as to how much appropriations shall be.

Mr. HALUSKA. Dr. Woodward, I do not think it was outright discrimination. I think it is just a case of misunderstanding. I do not think any man would discriminate to the extent of the difference between $4 and $1.79, but I think there was a misunderstanding some place and I am asking my colleagues to look into the matter.

Mr. WOODWARD. I listened attentively to the basso profundo remarks of the gentleman from Cambria—I mean some of his remarks; I was not here when he began—and I just want to know whether he is accusing the Committee on Appropriations of discriminating against his hospital.

Mr. HALUSKA. I shall try to be more explicit. I have asked the Committee on Appropriations to permit me to attend a meeting of their committee and give them figures I have available; I was promised an opportunity to do that, but I never received a call.

Mr. WOODWARD. What I do not understand is—if the others accept the formula, why the Senator is not also willing to accept it.

Mr. HALUSKA. That is what I am asking for, that same formula. On the basis of free patient days I am told, Mr. President, that they allow hospitals in Pittsburgh and Philadelphia 78 per cent, and I ask whether they will give us 65 per cent; I will go one better.

Mr. CHAPMAN. Mr. President, may I interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. CHAPMAN. Mr. President, did the gentleman from Cambria in his statement say he was not allowed to come to a meeting of the Committee on Appropriations and submit his question.

Mr. HALUSKA. No, I did not say I was not allowed to come in, Dr. Chapman. I said I have asked you on a number of occasions to give me an opportunity to come in when your committee met upon this bill, and you informed me you would, but I am still waiting for that call.

Mr. CHAPMAN. Did you then file an additional questionnaire to the first one sworn to by the hospital.

Mr. HALUSKA. That is right. I filed a corrected questionnaire with your secretary.

Mr. CHAPMAN. Mr. President, I might say my own hospital's appropriation was reduced $2,000 and I said nothing about it. I thought it was justified. No hospital receives the full amount of the cost of free patients. The average free patient cost in the state is about $5.50 or $5.60 per patient, but the committee feels that we should not give the whole amount of the appropriation for the free patients because by so doing we would lose community interest, and community interest is a more important asset to Senator Haluska's hospital, and to every

other hospital, than all the money we could appropriate to that hospital.

I might say that in the past the Miners' Hospital had received $42,000 and that was increased to $45,000, an increase of $3,000 over last biennium, which I think was the greatest increase given to any hospital, excepting Jefferson Hospital in the city of Philadelphia.

I may further say that we are now $5,000 over the amount allocated to this particular fund with respect to state aided hospitals.

Mr. HALUSKA. I realize others might give the same answer Dr. Chapman did, about other hospitals being cut one or two thousand dollars, but that is certainly an unfair remark to make regarding this bill. They were cut because they failed to earn their appropriation. This money must be returned unless it is earned. I am certain the hospitals Dr. Chapman speaks of were cut because they failed to earn their appropriations, but I say to him that the appropriation he is getting is nearly one hundred per cent of earned service, and the Doctor knows that, while I am getting about 38 per cent of earned service. All we want is that our hospital be placed on the same basis as the one Dr. Chapman speaks of, on the basis of money actually earned. We want nothing free but we ask that you give us the same percentage basis.

The people back in our communities of Clearfield, Cambria and Indiana counties, whom we serve, are just as human as the people in Warren county. They must be served. How can you make fish of one and fowl of the other? How could you appropriate $4 per diem to one part of the state and $1.79½ to another part of the state? All I want is fairness, gentlemen. This is more than a speech. This is my appeal for help. I hope you do not walk out of here and force us to close the doors of that hospital, but that is what will happen.

If you are $5,000 over the appropriation, I can not help that. I found one of your hospitals getting an increase of $35,000. How were they gauged? On what basis? It might have been fair to put me on the same basis. Give me 78 per cent of the earned service, if that goes for Warren county, if that goes for other hospitals. If that figure is too high, what is your figure? All I want is to be put on the same basis, gentlemen, and we will struggle through, but when you set a flat figure of 78 per cent for the entire Commonwealth, and then come down and set a figure of 38 per cent for Cambria county, gentlemen, there is something wrong, so I say there must be a misunderstanding.

I know the honesty and sincerity of Dr. Chapman and if he will sit down and take these figures I have in my hand—they are sworn to, checked by the Department of Welfare and the Auditor General, every three months—I am sure he will change his viewpoint about our hospital.

Mr. WOODWARD. Another point in this discussion on this subject is the fact that there are ten hospitals in the Commonwealth that do not submit to the formula of the Department of Welfare. They are favorities, I suppose, because they do not submit to the formula; when they spend too much money, they simply come down here and get deficiency appropriations.

I do not want to prolong this discussion but I simply want to register my objection to that kind of business, and I will become a little personal. There is a city hospital in Scranton and there also is a city hospital in Wilkes-Barre, only about twenty miles apart, and they are in the same category. The Scranton hospital does not have to submit to any formula, they come in here and have their bills paid, and yet the Wilkes-Barre hospital has to submit to the formula. That I think is an unfair situation and I simply want to register my protest against playing favorites with ten hospitals.

Mr. HALUSKA. Mr. President, going back to the remark made by Dr. Chapman, that appropriations to these hospitals are $5,000 over the proposed budget, that certainly is a meager figure, $5,000, dealing directly with life itself.

My colleague from Westmoreland, Senator Dent, yesterday said the coffers of the treasury are bulging out with money, and yet the communities back home are down on their knees begging for money.

How can you bring forth the argument that you can not do a thing for the Miners' Hospital because you already have gone $5,000 beyond the allocation, when here a few days ago you passed upon a bill spending $3,400,000 to give one man the right to live in politics, if you please, and here I am asking for a meager pittance to save lives and prolong the lives of those who are fighting for us, whom we are treating, and now you say you are $5,000 over your budget. Take off $5,000 from the hospital where you granted $35,000 additional and give us that $5,000 and you will probably save a few lives.

Gentlemen, again I say I trust that you will, during the recess which I understand is about to begin, consider my appeal and do something this afternoon to save this hospital from closing its doors. We have begged from the school kids, we have begged from the miner, from the farmer and the coal operator, and we can not beg for two more years. We must have your help. What are you going to do about it?

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to adress the Senate.

Mr. HOLLAND. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. HOLLAND. Will the gentleman from Delaware advise me if the calendars are ready as yet.

Mr. HEYBURN. Mr. President, I understand the calendars are ready and that the bills are being placed on our desks.

Mr. HOLLAND. I do not understand why we would have to go to a lobbyist to get a calendar. It seems strange in this Senate that the Senators do not get calendars before the lobbyists do. I have a calendar in my hand which I just received from a lobbyist; it is dated Thursday, May 3. I picked it up, to be very frank—I do not know if he knows I have it or not. It seems a terrible crime that the lobbyists in this Senate can get calendars and are acquainted with what action is going to be taken before the Senators get them.

PERSONAL PRIVILEGE

Mr. STIEFEL. Mr. President, I rise on a matter of per-

sonal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. STIEFEL. Mr. President, my remarks this afternoon could be entitled either as "The Romance of Pennsylvania's Collegees" or by a paradox-title—"The Greatness of Smallness."

I have in my hands a very interesting college bulletin bearing the title "A Christian College Comes of Age 1849-1949, Series No. 1"—The Product of a Christian College published by Waynesburg College, Green County, Pennsylvania.

At this juncture may I allay the fears of my colleagues, lest they get disturbed that a city dweller invades one of the jewels of rural Pennsylvania—namely Greene County, Pennsylvania.

I have both the permission and blessing of the Senator from Washington and Greene counties, the Honorable Wallace S. Gourley, to undertake this cultural excursus into the sun-kissed hillocks of Waynesburg and I am indeed thankful to Senator Gourley for his gracious hospitality.

An old adage maintains that: "To read is nothing, to read and think is something, to read and feel is everything." I have read the aforesaid Waynesburg College Bulletin and have been spiritually enriched by the feelings it engendered in me.

As you all know, I represent the Fifth Senatorial District of Pennsylvania, which is the backyard of Temple University and lies in the very shadows of its towering buildings. The famed "Acres of Diamonds," claiming the world, begin in my Senatorial District and it may, therefore, be significant that I am the one to voice on the floor of this resplendent Chamber our heartfelt felicitations to this pearl set in emerald-acres of rural Pennsylvania—Waynesburg College.

May I urge my esteemed colleagues to be sure to acquire the Waynesburg College Bulletin and place it on their "must" list of reading.

On page 3 of the Bulletin we find a passage which undoubtedly expresses the feeling of millions of Pennsylvanians. It reads as follows:

"Is it not high time that we put aside all semblence of apology and triumph in our smallness, our sympathetic contact, and our prayerful guidance?" I stress and underscore the expression: "Triumph in our smallness" because herein lies the secret of Pennsylvania's greatness. Not only in the four collossi:—University of Pennsylvania, Temple University, University of Pittsburgh and Pennsylvania State College, but also in the numerous smaller colleges of Pennsylvania, there are being forged the creative forces of our citizenry.

The so-called Prentice and Kunkel Survey of Waynesburg College illustrates the contribution of the smaller colleges of Pennsylvania to the greatness of our Commonwealth. The percentage of Waynesburg College alumni who attain distinction as measured in "Who's Who" exceeds by more than five times the average percentage of all the state universities in the United States. And by the way, one of the most interesting points of the Prentice and Kunkel Survey was that the leading college of America was a tiny Presbyterian institution in Virginia, Hampden-Sydney, whose attendance for most of its history rarely passed three hundred. And by the way, one of the alumni of Waynesburg College is our own Governor, His Excellency Edward Martin, whose synopsis-biography graces page 9 of the Waynesburg College Bulletin.

Our felicitations to Waynesburg College and fervent wishes that it may for many centuries continue its creative work.

May I embrace this opportunity and urge the members of the Senate to support House Bill No. 25 which strives to assist young men and women of the Commonwealth to obtain a higher education by means of scholarships based upon competitive examinations. This important measure will be of great aid to the smaller colleges of Pennsylvania in the post-war era and will definitely open a new inspiring page in the cultural history of Pennsylvania.

There is an economic aspect to this undertaking which is indicative of the desirability of the proposed measure.

Back in 1937 Senator John Dent initiated a study of migrations of industry in Pennsylvania. As a member of the Dent Industrial Tax Study Commission, I have been working for the last eight years on the compilation and analysis of statistics gathered by the U. S. Department of Commerce during its Bicentennial Censuses of Manufacturers. I am, therefore, in position to make certain authoritative statements which I expect to publish in the near future in a book that will deal with movements of industry in Pennsylvania. The U. S. Department of Commerce publishes very instructive statistics covering industrial movements in 33 industrial areas of the United States. Several of these areas, such as Philadelphia-Camden, Pittsburgh, Bethlehem-Allentown and Wilkes-Barre-Scranton areas abound in discernible trends showing the coming suburbanization and rurbanization of industry. (Rurbanization is a synthetic word covering a combination of rural and urban patterns.) Thus by dividing each industrial area into a urban core and suburban or rural periphery we find a gradual exodus of industry from the core of the industrial area and localization thereof in the periphery of the area.

Since many of Pennsylvania's smaller colleges are located in the rural perpheries of Pennsylvania industrial centers, it is evident that great days of creative expansion are in store for the aforesaid smaller colleges.

The smaller colleges of Pennsylvania may also become in the future a great unifying force in the life of Pennsylvania. It is a known fact that Pennsylvania's political life consists of three different spheres: Philadelphia, Pittsburgh and the "in-between" Pennsylvania. There is a decided cleavage between the rural and urban components of Pennsylvania's citizenry, a deplorable condition which had been in existence for generations.

Now with the enactment of House Bill No. 25 into law many young Pennsylvanians from Philadelphia and Pittsburgh will no doubt avail themselves of the scholarships provided in House Bill No. 25 and will pursue their college studies in the rural colleges of our Commonwealth.

At the close of the Civil War, President Lincoln pointed out to his generals that the railroad map of the United States clearly indicated the sources of the internal strife—all railroads at that time ran from the East to the West but not from the North to the South. Isolation is the source of suspicion and cleavage! The smaller colleges of Pennsylvania are destined to eliminate intrastate isola-

tion by bringing the salubrious interplay of city and farm in the post-war era.

A visitor to Washington, Pennsylvania, is always impressed by the lights on the towers of "Old Main" Building of Washington and Jefferson College. These lights are symbolic of the present movement to provide aid to the smaller colleges of Pennsylvania—they are a challenge to darkness, to internal strife, to isolation, to the evil forces of suspicion! They call for vision, they command a forward march!

My worthy colleagues! Carpe Diem! Do not miss the opportunity—Pass House Bill No. 25.

The PRESIDING OFFICER (Henry I. Wilson) in the Chair.

PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise on a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Philadelphia may proceed.

Mr. WOODWARD. Mr. President, I always listen with attention to the remarks from the Democratic side of this Chamber, because I like to see how often they are wrong, but as a friend of theirs I wish some of the Democratic members would take some elocution lessons so that I could understand every word they say. Without any discourtesy to my colleague from Philadelphia, for whom I have great respect, whether it is his fault or the fault of the two shorthand reporters that interrupt the waves of sound, I did not understand everything he said. But I take it that the general purpose was something about House Bill 568 and therefore I am going to make a very few remarks concerning House Bill 568. I will try to keep it within the permissive three minutes on personal privilege.

As we all know, the fundamental difficulty in the financing of th eschools is that they have not enough money. I learned long ago that there are 6,057 one-teacher school houses that are shut. In 1919 there were over ten thousand of those one-teacher schools, but in 1944 there were only six thousand. My point, however, is that while there are six thousand one-teacher schools that are shut, those teachers get 75 per cent of their salaries—as far as I know they are getting them. Therefore I think it is important, if there are six thousand one-teacher schools that are shut and the school board has to maintain 75 per cent of the salaries of teachers who are not there, it is important that both sides of this Senate should know that.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I have been objecting to confirmation of the Pennsylvania Post War Planning Commission. In my objecting I do not have any general objection to the men and women who will serve on it, as I feel that all those who are named are people who are interested in post war planning.

However, I want to draw to the attention of the Senate that we have a responsibility for post war planning and I do not think that up to date the studying done for post war planning has been sufficient to do a good job when the war is ended.

I also want to point out that cutbacks have already started; in western Pennsylvania they have started full force. Just this week a shipyard corporation in Pittsburgh cut its payroll from 14,000 to 4,000, and other industries have been steadily cutting back, until we in western Pennsylvania are going to find we have a large number of unemployed on our hands.

In the manpower district which consists of Beaver, Pittsburgh and New Kensington, there is a potential of 600,000 employables, according to a meeting that was held yesterday by the Manpower Commission.

As soon as V-E Day comes—and I want to impress this upon the Senate—the Army, which is now ready to cancel its orders, immediately upon their cancellation there will be a hundred thousand unemployed in this district. The only reason the Army has not cut back as yet is that the Navy still needs some goods and there has been a general agreement between the Army and Navy to continue production for the Army, which is a surplus, and which I believe is very bad business.

On the Post War Planning Commission, which has been put before the Senate for confirmation, we find that no one representing either the A.F. of L. or the C.I.O. or the Brotherhoods is on the Commission. Mr. Kennedy, a very able man, representing the miners, is on the commission. However, I want to point out to you that in the building industry neither management nor labor is represented on that commission, and you and I know that the building industry is going to play a very important part after this war. The steel industry is not represented on the commission. Some of our largest industries in the western part of the state I know would be eager to help, and they have been making their post war plans, and I know their knowledge and experience would help a great deal.

It is a case where both the A.F. of L. and the C.I.O., which have spent thousands of dollars on post war planning, are completely ignored. I do not think that is a good start for the time when the war is over, because I believe the whole future of America rests on how close labor and management can work together in the years ahead. They have proved in war that labor and management can work together; there is no reason why labor and management can not work together after the war is over.

Mr. President, I am not going to take the time of the Senate to read to you the post war plan of the C.I.O., but I am going further and ask that there be included in the Legislative Journal the "C.I.O. Re-employment Plan." This plan has cost thousands and thousands of dollars. It has been brought together by men high up in the different industries, men who have had experience in the economies of labor and management, and I believe it is a valuable contribution to post war planning.

Furthermore, Mr. President, I think that the resolution which I introduced in this body should have been reported to the Senatee. That resolution asked the Post War Planning Commission to tell us what they had ready for bids, what they had on their drawing boards, how many people would be employed, and what were their other plans not yet on the drawing boards.

We are going very shortly into a transition between war production and peace production. We do not know what is being done. We are the ones who are going to be responsible We are the ones who are going to be lobbied and heckled if we do not do something about it.

If we do not do something about it, we are going to be besieged to pay more taxes, in order to give money to people who are unemployed. I know we do not want to go back to the old system and I know the boys who will come back from the war do not want a dole. They want jobs. We are neglecting our duty as Senators. Post war planning is our job and we should see about it; it has got to be done and we are not doing it. We are just passing the buck.

Our post war planning I am sure up to date has not reached the go-ahead stage, and we will be the ones that will have to accept the blame. It is our job. If we create an ideal, then we should make sure that ideal does the work it is intended to do.

Therefore, Mr. President, I believe that men of labor and men of industry should be added to this Post War Planning Commission, especially representatives of the steel industry, which is going to be affected, and also the building trades industry, which is going to be affected. When men who labor have spent hundreds of thousands of dollars on post war plans, certainly those plans should be considered by the Governor of the state of Pennsylvania. I realize the Republican Party is sort of tired of labor and they do not seem to want to bring labor into the picture, but labor has something to contribute here. Management has also. If we have both management and labor contributing, sitting across the table, as they have during this war, we can solve the unemployment problem of Pennsylvania and Pennsylvania will be benefited.

I ask unanimous consent to have incorporated in the Legislative Journal the "C.I.O. Re-employment Plan," by Philip Murray.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Permission is granted.

C.I.O. RE-EMPLOYMENT PLAN

by Philip Murray

The 1944 Murray Re-employment Plan Defines the Deflationary Gap, Examines the Dangers Therein to the Nation's Security and to Democracy, and Sets Forth Seven Points Enuiciating How the Deflationary Gap can be Filled and Its Dangers Obviated.

The Deflationary Gap Yawns as a Postwar Economic Chasm

We have all been working to produce weapons to win the war. With the winning of the war our task is to reemploy all to produce the products of peace.

There is no doubt that with our people at work after the war we could produce goods and service worth 200 billion dollars in a year. Everybody would be working, including the men and women now in uniform.

Why should America go back to less than the largest possible output of things the people need? We shouldn't!

An army of people not working and without income, plus the working force with greatly reduced income, means depression. When the working people do not have wages to spend, there is tremendous additional loss to the butcher, the baker, the real estate rent maker, and the farmer, who consequently have their purchasing power reduced.

Thus all over again could start the well-known vicious downward spiral. Everybody will be sucked into a new, bigger depression.

To prevent widespread hunger, there must be added the enormous cost of even subsistence relief. This would mean an expenditure of many more billions.

The value of the nation's production for 1944 will exceed 200 billion dollars. This total has been sustained by 95 bililons of government war expenditures.

Cancellation during 1945 of this volume of war orders will not only reduce the nation's production by nearly one-half; the stream of economic activity fed by this sum will be substantially lowered.

Unless peace-time production expands to replace war production, it can very well be that the value of the nation's output would fall to 75 billion dollars. The 125 billion dollar difference is the deflationary gap.

The existence of such a deflationary gap would hazard the nation's security. These dangers would follow:

Poverty would exist among half or more of the population.

Immediately there would be civil disorders, crime, sickness and disease, mass migration of homeless people, family breakups and child delinquency—all these things on an unprecedented scale.

Competition for existing scarce jobs would bring new tensions.

Race riots would follow.

Veterans would not only compete with non-veterans for employment; the veterans of 1944 and '45 would fight veterans of 1917 and '18 for preferment. Unemployment marches and bonus marches would be the order all over again, on a much larger scale than before.

Scapegoats would be sought, demogogues would harrangue the people and mislead and confuse them, civil and individual liberities would disappear in one surge after another of violence and counter-violence.

A crisis as great as war would convulse the nation, which would be a potent threat to both private ownership of industry and to democratic political institutions.

The second World War would be lost to the military victors, as the first one was lost. And the seeds of World War III would be planted and cultivated for another bloody harvest when the infants of 1944 reached manhood!

The C.I.O. Re-employment Plan is simply a proposal for a series of things the American people can now do to fill in the deflationary gap and prevent the grave dangers to the whole country which would otherwise quickly follow.

The Deflationary Gap Must Be Filled in to Prevent a Disastrous Cave-in!

The C.I.O. Re-employment Plan is mainly a program for industrial production and employment.

It is concerned first of all with the buying power of the workers in the basic industries, because the lack of that buying power is the main seat of our economic ills.

This is the field in which organized labor has a peculiar responsibility and a special obligation to speak out. And not only for the C.I.O. members! Throughout the program the C.I.O. calls insistently for the protection and welfare of all the people.

The C.I.O. is deeply interested in the security and prosperity of every section of the nation. We want real prosperity for the farmers. We are concerned with the problems of independent business men and professional people. We are vitally interested in the welfare of returning veterans. We champion the cause of all racial and national minorities.

Every veteran of both this and the earlier war must have his job opportunity in a national program of full production and full employment.

The same is true of the enlarged group of women who from necessity or choice will be in the labor market when the war is won. Women must not only have democratic employment opportunities; they must receive equal pay for equal work.

The Negro worker has given his efforts to production for victory; his employment also must be without discrimination in an expanding economy to which

all can contribute their best efforts and from which all can obtain an adequate living.

The prosperity of the industrial worker is found only in the prosperity of all Americans. Each of us is secure only as all of us are secure.

The C.I.O. has outlined its views and policies on all these questions in programs which it has issued from time to time. It offers its friendship and cooperation to every group among the American people.

The greatest solvent for most of our common problems, however, is full industrial production and employment. Farmers, indipendent business men, and professional people prosper as the total take-home pay of industrial workers rises. There need be no conflict between races and national groups, or between veterans and workers, if we make sure there are jobs for all.

Toward the solution of this central problem of productivity and employment in our great basic industries, the critical problem of our times, the C.I.O. offers the following seven-point program:

Unionism and High Wages

The labor unions of America are the main foundation-stone of national prosperity. The recognition they have won from business and government in the last decade must be protected and extended. The right of working people to unite in organizations of their own choosing, free from interference by their employers, must not be impaired.

If good times are to follow this war and endure into the peace, the people of the country must have the purchasing power to buy the goods our industries turn out. High wages mean big sales, full production and in turn, full employment.

The nation must begin to act now on this question of wages, along these lines:

(a) There must be immediate revision of the "Little Steel" formula to compensate labor for the loss incurred due to the rise in the cost of living. In due time, labor must, in addition, share more fully in the earnings of industry through further wage increases.

(b) There must be prompt and generous increases in wage rates to protect workers against reconversion unemployment.

(c) There must be no reduction in take-home pay as overtime is eliminated in war plants.

(d) Annual wage guarantees must be included hereafter in all labor contracts.

(e) Dismissal pay, sick leave pay, paid vacations and holidays, paid insurance, veterans funds, and the elimination of geographical differentials, must be elements of collective bargaining contracts in the future.

(f) There must be an unqualified acceptance of the principles of collective bargaining.

Besides the primary economic need for these adjustments to expand purchasing power to maintain full employment, working people must share, fully and promptly, in the greatly increased productivity which has come during the war production effort and which will be accelerated after reconversion. The reffected benefits to merchants and professional people of increased purchasing power for industrial workers is the only way the whole population can share in technological production improvements.

There must be no blitzkreig against organized labor in America after this war. The resources and energies of the nation must be devoted to the winning of good times, and must not be squandered in industrial strife. The principles of union recognition, collective bargaining, and prosperity wages must remain basic propositions in our economic life.

Democratic Teamwork for Full Production and Employment

The C.I.O. made the first proposals for the conversion of America's vast industrial facilities to war production. Among these proposals were the Industry Council Plan and the programs of several C.I.O. unions for converting the steel, automobile, aluminum and other industries.

These programs were based on one fundamental proposition:

There must be teamwork on the part of labor, industry and government in organizing production around an overall national plan and component industry plans.

This principle was to be applied by establishing a National Production Board and Industry Councils, composed of representatives of management and labor with government chairmen.

As the war went on, the importance of planning and labor participation was more and more fully recognized and the results became manifest in amazing production records.

The same fundamental proposition must be applied in the transition to peace-time production and the maintenance of capacity output and employment thereafter.

Labor, management, and government got together successfully to produce the weapons of victory. They should stick together to build an enduring prosperity. These steps should be taken:

(a) A National Production Council should be set up, properly linked with the War Production Board and other war agencies, which will be responsible for taking the country through reconversion and keeping it prosperous. It should be composed of representatives of labor, industry, agriculture and government.

(b) Industry Councils should be established in the great basic and mass production industries, composed of representatives of labor, management and government.

(c) The National Council and the Industry Councils should work out an overall national program and component industry programs for changing over to peace-time production and operating at capacity thereafter.

Many of our great corporations are preparing plans now for their operations after the war. They are planning their investments in new equipment and machinery. They are counting on running certain plants and shutting down others. They are estimating their expected sales and fixing their sights for production and employment accordingly.

The people of this country have a vital interest in these activities.

The plans which management is making for capital investment in new plants, machinery and equipment must be big enough to add up, along with public investment and foreign investment, to whatever is necessary to keep our capital goods industries going.

The levels of production and employment which our big corporations are scheduling must be high enough, together with the employment provided by small business and government, to provide a job for every person in the country who wishes to work.

The people in every community in the land have a right to know whether the companies intend to operate the plants in that community and what they intend to produce.

High wage rates are an imperative of the transition and the peace. It is likewise an imperative that our plants and factories be kept open and operating. The jobs must be there before men can earn money. A 25 per cent cut in employment can be just as disastrous as a 25 per cent cut in wages, and can be imposed overnight. We want none of that in the postwar years.

All these matters are proper and necessary subjects for consultation and cooperation.

These problems should be dealt with by the National Production Council and the Industry Councils.

If the corporations continue to do the planning job alone without relation to the programs of other com-

panies and of the national, state and local governments, they will inevitably shoot too low.

We must get all our programs out on the table where we can look them over and see whether they measure up to the total national production, employment, and investment levels which are possible and necessary if the deflationary gap is to be closed.

We must establish annual minimum production goals for all the basic industries, which will add up—along with the production of small business, farmers, and public enterprise—to a national production goal equal to the production capacity of the nation. Initiative and enterprise would still be free to top these minimum goals.

And we must see to it that the sum total of all these programs keeps on rising from year to year, not just standing still.

Management owes these things to the people of the country.

Labor is ready and willing to cooperate and to contribute its own working knowledge of production and its familiarity with the needs of the people.

There must be no conspiracies in restraint of trade in the operation of the Industry Council Plan. The anti-trust laws must be enforced, not relaxed. Restricted production and monopoly prices can not be countenanced.

Purchasing power of people is as much a result of low prices as high wages. High production schedules mean low unit costs so that fair prices will be possible.

Small business must be helped and protected. Planned cooperation must be based on industrial expansion, not contraction.

The most pressing need of the peace, after a sound wage and labor policy, is for this working partnership of labor, management, agriculture and government in the preparation and execution of programs of full production, full employment and a high rate of capital investment, fitted into a total national peacetime production plan.

A Modern Transportation System

Airways

The aircraft industry must be kept alive and must be developed. It can be a great key to prosperity in the next decade, as the automobile industry was during the twenties.

Mass production of automobiles was made possible by highway construction. We must do the same thing with airplanes. We must build a vast network of airports and airlanes all over the country which will make for a rapid growth in individual flying.

The federal government should consult immediately with state, county, and municipal governments and work out plans to construct not less than 6,000 airports with interconnecting airlanes suitable for use by personally owned planes.

These airports should be built and operated by the local governments in line with the national plan. The federal government should give such assistance by loans, grants and guarantees as may be necessary for planning, land acquisition and construction.

This work should start at once. Preparations will take considerable time. The job should be pushed ahead rapidly. Most of it should be done during reconversion unemployment. Then the aircraft industry can resume with a good prospect of continued expansion.

The industrialist, Henry J. Kaiser, has worked out excellent plans in detail, along these lines, which he made public last May at the convention of the United Steelworkers of America. They are well worthy of prompt application.

We must also build up our commercial airlines, transporting passengers, freight and mail. These lines were the nucleus of our war-time air expansion. They will provide a growing and reliable market for the aircraft industry.

These policies will save the jobs of hundred of thousands of workers in aircraft, in steel, in aluminum, and keep them earning and spending at prosperity levels.

Railways

The war has placed incredible burdens on our railway system. The railways were in run-down condition before the war. Further injury has now been done to the roadbeds. Rolling stock which was obsolescent has become a danger to life and limb.

There must be a thorough modernization of our railway system as soon as the resources are available. The railways have been making money. They should invest this money promptly in reconstruction. If they need additional financial help the government should provide it by direct loan or credit guarantees.

Part of the program should be the complete elimination of all grade crossings. Proper legislation should be enacted immediately by the states and the federal government. This is a matter of plain humanity, quite aside from economic consideration. We have no business permitting any longer the annual toll of death and injury caused by wrecks at obsolete crossings which still survive in far too many places.

Such a reconditioning program for our railway system will be a great help in stabilizing the steel industry and the railway equipment industries at high production levels.

Highways

We must resume our policies of federal assistance to states and localities for highway construction. We must enlarge these programs substantially.

Private automobile travel and the transportation of passengers and freight by bus and truck must be expanded after the war. Millions of people want new private cars. The bus lines and the trucking companies will buy much new equipment.

Highway transport has rendered invaluable services to the nation during this war in supplementing railway transport. It has helped to prevent the breakdown of the railways which occurred near the end of the last war. It must be protected and expanded for the future. Abundant, good highways are the best assistance the government can give.

Something like the Maverick Plan for the construction of a network of superhighways east and west and north and south should be put into effect. The program of U. S. Senator Hayden is a beginning but is not enough.

In addition to cross-country trunk highways, we must open new thoroughfares from the centers of our big cities to the outskirts, and eliminate traffic bottlenecks.

The construction of new bridges and the elimination of grade crossings by over-passes and under-passes should be an important part of the highway program.

In rural areas we must build more and better hard surface roads to get the farmers out of the mud.

Where localities lack resources the federal government should drop the requirement that its money be matched.

It is not difficult to visualize the possibilities in such a plan for the steel, cement and machinery industries, and for the further expansion of automobile travel.

Housing and City Reconstruction

Our inability to provide ourselves with decent shelter has been a major failure of our civilization. The slums, the run-down areas and congestion of our cities are a menace and a disgrace.

We must go in for the complete reconstruction and decentralization of our great metropolitan areas and for a program which will give good shelter to every

family, urban and rural, regardless of income, throughout the land.

The slum clearance program must be resumed at once on an ample scale. Our slums should be eliminated, substandard housing supplanted and blighted areas reconstructed within ten years after the war.

We must have teamwork between private and public initiative in the housing field. Both have their responsibilities. Private builders should forget their senseless and expensive war on public housing. There is more than enough for all to do.

There must also be government help for cooperative housing.

We should lay plans now to build not less than 1,500,000 new homes every year for at least the next ten years. Planning and land purchase must get under way at once with whatever federal assistance may be necessary.

Our city planning must become more imaginative and bold. It must take in whole metropolitan areas. It must include industrial and commercial facilities as well as hospitals, schools, recreation and shelter.

We should tear down industrial plants which are badly located with respect to the life of the community and build new ones in the right places. We should tear up transportation facilities which destroy the recreational possibilities of our waterfronts and lay new tracks at the right places. We should reconstruct most of our docks and harbors. We should clear out whole neighborhoods in downtown areas and build airports or plant parks.

Our cities should be rebuilt completely. They should be broadly decentralized. New towns should be founded on the outskirts. Open country should be brought downtown.

City tax structures must and can be reorganized on a metropolitan hasis to facilitate these changes. Only planned decentralization, indeed, can save our big city finances, which are imperiled by inevitable and planless dispersion and blight.

There is work here for millions of men for a generation. The demand for building materials and for new industrial plants, equipment, and machinery will be immense.

Regional Development

We have had valuable experience in the planned development of great river valleys and immense regions in our country. This experience has been highly successful.

The control of floods, extensive rural electrification, conservation of soil and forest resources, development of new industries, and elevation of the general standard of living, which have marked developments like that in the Tennessee Valley are known to all Americans and have their enthusiastic approval.

There are many other regions in the country which should get similar help. The vast Missouri Valley is one of them. Here we have all the problems of water scarcity in the uplands and floods in the lowlands, of reforestation and erosion control, and a pressing need for better roads and cheaper electricity among the farmers.

We should construct an integrated system of dams and hydro-electric power plants along the entire length of the Missouri River and its tributaries. We should plant forests and grass on the uplands and the sub-marginal agricultural areas. These measures will bring under control the disastrous floods which annually destroy millions of dollars of property in Kansas and Missouri.

We should build a network of electric power transmission lines from the power plants and provide every farmer in the entire region, who is not properly served by privately owned utilities, with cheap electric power. We should build a comprehensive system of back-country, hard-surface highways connected with national trunk highways.

Other regions which should be developed along similar lines include the Arkansas and Red River Valleys, the Connecticut River Valley, the basins of the Santee and Broad Rivers in the Carolinas and of the Tombigbee and Alabama Rivers north of Mobile, the Central Valley in California, and the great Columbia River Valley in Washington and Oregon. In one place the great natural resource may be forests, in another agriculture and grazing crops. Everywhere in these areas there are enormous human resources to be conserved.

Such programs mean work for hundreds of thousands of men in field and forest. This work should be offered on a year-round steady basis so that the workers can settle down with their families. They should be given all the rights of self organization and collective bargaining which are enjoyed by the workers in the great basic industries.

The communications companies should be required to expand their facilities in country districts as well as in the cities. They have been making money and can afford it. Every American, rural and urban alike, is entitled to good telephone and telegraph service at reasonable rates.

Comprehensive plans should be prepared for the improvement of conditions in neglected areas of the country, like the South. The war plants which have been built in these regions should be used, and more peace-time industries should be brought in. The South, the Midwest, and the Mountain States should cease to be mere economic colonies of the Northeast.

Such operations will mean an immense demand for cement, steel, hydroelectric equipment and machinery, copper and other materials used in transmission lines, agricultural machinery and the like.

They will help the agricultural output of the country to keep pace with an elevated standard of living among farmers and city people alike.

Foreiegn Trade

The continued prosperity of Americans is directly tied to the prosperity of people of all other nations. In addition to a domestic program for full production in the United States there must be a vigorous, long-term program of international commerce.

We must develop the new foreign markets which will appear after the war for our capital goods and our durable consumers goods, for steel, railway and public utility equipment, machines, automobiles, household equipment.

The war has wrought havoc in the factories and railways of Europe. Millions of homes have been destroyed by bombing. And there are vast areas in Asia and Latin America which have long been in need of industrialization.

We should use our immense productive capacity in heavy goods to help rebuild war-torn Europe and Russia, and to industrialize China, India and Latin America. There is a large enough market here to help to stabilize big industry in the United States for decades.

One problem is the financial one. Industry may properly fear the risk of loss in such foreign investment. The federal government must help. The best way to do this is by extending credit guarantees to the exporters of heavy goods. The amount which we may lose on such guarantees will not begin to equal what we will have to pay out for relief if we fail to keep production going.

Another problem in foreign trade is imports. Trade is a two-way proposition. In the last analysis we can not be paid for exports except by imports. Credits and payments in gold simply postpone the day of reckoning. At present we could not possibly accept enough imports to balance the great quantity of ex-

ports we ought to be sending abroad to keep our heavy industry going. These imports would compete with other goods produced in America.

But we can readjust our economy over a longer period of years so that imports will balance exports. We should arrange it so that we produce the things we make best in this country, and other countries produce the things they make there better or more easily. We should begin now to work out a long-range program for this readjustment over a period of years. Credits to other countries under federal guarantee will take us through the difficult transition period.

Our purpose is to raise standards of living both at home and abroad, so that our great industries may continue to operate and the welfare of the common people everywhere in the world may be increased. We must avoid doing harm to our light consumers goods industries and their workers, and to agriculture in this country.

At the same time we must find outlets for our capital goods and our durable consumers goods. This will increase the productivity of other nations and will raise the consuming power of their people for the products of their own industries and of ours. All this calls for long-range planning, but if we tackle the job intelligently we can do it without harm to anyone and with immense benefit to the common man everywhere.

It is this idea of the benefit to all peoples that motivates labor organizations in the development of a greater international commerce. Such a program must not degrade the living standards or working conditions of American workers. On the contrary, the program enunciated here is designed to improve the living conditions and social standards of workers in all countries, particularly in the United States.

Inter-continental commerce adds business and employment opportunities for shipping which is an important part of foreign trade. A greatly increased passenger traffic also would follow.

Both freight and passenger traffic means employment not only for the workers on board ships, but also in the related packaging, warehouseing, loading and unloading mail, insurance and other related businesses.

Men of the sea have made a great contrubution to victory, in the face of tremendous danger and obstacles. Not considered as military veterans, they are in fact in that classification, and for those who choose to remain in the various maritime callings there must be full employment.

We must attach proper conditions to our export guarantees. Our foreign investments should be in harmony with the plans and programs worked out by the agencies of international cooperation which will be set up as the war comes to an end. Investments made in accordance with international economic plans will be more secure and there will be less danger that the federal government will have to make good on the guarantees.

America's national interest lies in the preservation and extension of real democracy everywhere in the world. Our economic strength must be exerted through the policies we follow in matters like export guarantees, to support democracy, the right of self organization, a stable prosperity, social security and international peace everywhere in the world.

Health, Education and Security

Health

Our nation is woefully underequipped to provide adequate medical care to all the people. We should go in for a great expansion of hospital and clinical facilities. Every neighborhood in our big cities, and every cross-roads hamlet and farm in America should be within safe and easy reach of a good hospital.

The federal government should begin immediately to stimulate the states and local governments to prepare plans for the construction of such facilities. It should help financially by procedures similar to those used in housing. The demands which such a program will make on the industries producing building materials and clinical equipment will have a vital stimulating effect on our economy.

Even more important than building new hospitals is the training of more doctors, dentists, psychiatrists and nurses. The war has given many Americans decent medical care for the first time in their lives. We have learned that in spite of underemployment among doctors, we did not have enough of them to go around if everyone in the country got proper treatment. We need to draw hundreds of thousands of additional men and women into services before we will have enough. This will mean new jobs, more purchasing power and a broader basis for prosperity.

We need a new and modern program of industrial safety. Avoidable accident continues to take an inexcusable toll of injury on the job in our mines, mills and factories. We ought to have a complete overhauling of our state industrial safety codes and a thorough examination of the possibilities of federal stimulation and assistance for wise preventive measures. Our workmen's compensation laws are feeble and outmoded in most states and should be revised. Better clinics and other facilities should be installed by industry for the treatment of accidents and illness on the job. The states and federal government should enact whatever legislation may be necessary to bring this about.

Such a medical and safety program means a healthier people. Illness and accidents cost so much that we can better afford to keep everyone safe and well. The health of the individual is more than his own business; it is the concern of the community. Prevention is better than cure.

Education

In the field of education, again we are sadly underequipped. We have never had enough colleges and universities, enough high schools, not to speak of enough grade schools, to give all our young people the education they deserve and which they would demand if they had the money to pay for it.

War-time experience has brought forward the value of nursery and play schools, kindergartens, and such pre-primary school services. Not a substitute for care of children in the home, they are a valuable supplement thereto, and are an essential part of the educational system. They must be encouraged and multiplied.

We should embark at once on a program of federal aid to cities and counties for the construction of new primary and secondary schools. The national government should help the states to develop the facilities of state-aided colleges and universities.

Methods should be worked out for the training of hundreds of thousands of new teachers for our schools and colleges. The work load of individual teachers and the size of classes should be reduced.

Every young person in the country should be enabled to go as far as his talents will take him in schooling. Systems of scholarships or free higher education must be worked out to accomplish this purpose.

Such an expansion of educational facilities, such an enlargement of our teaching staff, and such assistance to students during the period of their education will help materially in providing the jobs and the buying power which are needed to keep our economy going.

Security

We must also perfect our social security system. Our society can afford to offer every citizen complete protection against all the major hazards of life. It can not afford to do otherwise.

Every man, woman and child should have this protection. It should cover not only the industrial workers but professional people, independent business men and farmers. It should deal with unemployment, accident, illness, old age and the dependence that comes with maternity, the loss of breadwinners and the like. The Wagner-Murray-Dingell Social Security Bill should be perfected and passed, not in some distant tomorrow, but now.

These things are needed not only because they are right in themselves, but because they will help to equalize the bow of purchasing power in periods of relative prosperity and recession.

Organized labor fought a hard fight for the enactment of the Murray-Kilgore Bill which would have meant real protection for veterans and war workers in the reconversion period. Labor lost that fight. It was opposed by a blind and venomous coalition of reactionaries in Congress. The American people were united in favor of the measure. The C. I. O. intends to keep on fighting to get real reconversion unemployment compensation promptly and to get complete social security coverage for everyone.

Health, education and economic security are vital matters for democracy. People can not exercise personal or political freedom if they do not have jobs, if they can not get real medical care when they need it, if they have no opportunity to train themselves for the occupations to which they are suited, or if they live in constant apprehension of unemployment, accident or poverty-stricken old age.

Freedom and democracy flourish best in environments of abundance and security. A sound program for a democratic nation must look toward the protection of all the people against all the disastrous common risks of life.

"We Must Hang Together, or We'll Hang Separately"

The years which lie ahead call for action and cooperation.

The war goods cutback and cancellations are now beginning to strike the first notes of warning. The guaranteed market for the products of our industries which has been provided by government purchases during the war will soon dwindle and then vanish.

From now on we face a problem which will become more and more acute with every passing month, the problem of stabilizing a huge industrial economy on a foundation of peacetime production.

We tackled this job in the thirties, but we did not finish it. The needs of the defense program and eventually the war, postponed the need for basis solutions. The further deferment of these matters now becomes impossible. Resolute and prompt action is imperative.

We must act now, vigorously and without hesitation, if we are to stave off dire misery for millions in the transition years and later. If we fail to move with energy and decision, economic chaos will engulf us, and demagogues will take advantage of the fear and distress of multitudes to attack and perhaps destroy our political democracy and our hopes of a better economic order.

Action in a democracy must be cooperative action. No one group in our society can pretend to handle this situation alone. The industrial workers are strong. They are the strongest organized group in the country. Yet, labor understands that it must seek the cooperation of the people on the farms, the doctors, lawyers and teachers, and the managers of business, big and little, if it is to win through to a better world.

The C. I. O. is fully convinced that other great segments of the American nation also understand the need for unified democratic action. It presents its program of industrial stabilization and expansion as a basis for consultation and cooperation with all segments of the American people.

The C. I. O. has offered in the past and will continue to present plans for closer collaboration on matters of direct interest to other labor organizations, veterans, agriculture, the professions and independent business. It declares its deep-seated confidence in the ability of all the American people to unite and work speedily toward sound and democratic solutions for the dangers which threaten the American way of life.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE, BOROUGH OF SCALP LEVEL, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor' Office, Harrisburg May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew W. King, 637 Main Street, Scalp Level, Cambria County for appointment as Justice of the Peace in and for the Borough of Scalp Level, Cambria County, until the first Monday in January, 1946, vice Jacob D. Heider, deceased.

EDWARD MARTIN.

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Commonwealth of Pennsylvania,
Governor' Office, Harrisburg May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John M. Rice, 950 Century Building, Pittsburgh, Allegheny County, for appointment as a Member of the State Registration Board for Professional Engineers, for the term of six years, and until his successor is appointed and qualified, vice George S. Richardson, Pittsburgh, resigned.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor' Office, Harrisburg May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Thaddeus Stevens Industrial School:

Theodore Schwalm, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified. (Reappointment).

Louis B. Bond, Christiana, Lancaster County, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment).

Claude W. Breneman, Elizabethtown, Lancaster County, to serve until the third Tuesday of January 1951, and until

his successor shall have been appointed and qualified. (Reappointment).

Calvin M. Kendig, Mountville, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment).

Mrs. Elizabeth D. Stine, 580 School Lane, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until her successor shall have been appointed and qualified. (Reappointment).

Chester M. Woolworth, 1 Jackson Drive, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment).

D. W. Luttenberger, 123 Race Avenue, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Oliver Schaeffer, Lancaster, whose term expired.

S. E. Dyke, Millersville Pike, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified, vice Clifford C. Aument, Quarryville, whose term expired.

EDWARD MARTIN.

REPORT FROM COMMITTEE

Mr. TYLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TYLER, from the Committee on Public Welfare, Public Assistance and Pensions, reported as amended, House Bill No. 127, entitled:

An Act to further amend section two of the act approved the thirteenth day of June one thousand eight hundred eighty--three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes and further regulating the burial costs.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock p. m., Eastern War Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 248, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents; making certain offenses punishable as perjury and imposing penalties.

Senate Bill No. 374, entitled:

An Act to fix the standard weights of containers for wheat and corn flours, corn meals, hominy, and hominy grits; and to provide penalties for the violation of this act.

Senate Bill No. 537, entitled:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," providing for payment of the compensation of local registrars by the Commonwealth, and relieving counties from such payments.

Senate Bill No. 590, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

Senate Bill No. 607, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 637), entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

Senate Bill No. 721, entitled:

An Act to further amend section two hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating when a director may be elected solicitor to the board.

House Bill No. 992, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the further restoration preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May, one thousand nine hundred

thirty-three (P. L. 364), entitled "Business Corporation Law," by adding to Article III, Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year, as returned by it to the Federal Government for income tax purposes.

Which was committed to the Committee on Corporations.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 289.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 2, 1945.

Resolved (if the Senate concurs), That House Bill No. 289, Printer's No. 198, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 138), entitled "Vocational Education Law," by adding clause (d) providing for future veterans and rehabilitation programs in public schools.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT FAYETTE COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph G. Berry, 301 Catherine Avenue, Brownsville, Fayette County, for appointment as Register of Wills and ex-officio Clerk of the Orphans' Court in and for the County of Fayette, to serve until the first Monday of January, 1946, vice Bruce F. Sterling, deceased.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul S. Christman, Schuylkill Haven, Schuylkill County, for appointment as a Member of the Board of Trustees of Wernersville State Hospital, for the term of four years, and until his successor is qualified, vice John K. Berk, Frackville, deceased.

EDWARD MARTIN.

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 3, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Elizabeth L. Forman, Pittsburgh, 3843 Dawson St.
Miss Margaret Hollan, Braddock.
James W. Ross, East Pittsburgh.

CENTRE COUNTY

Mrs. Velmar A. Williams, Bellefonte.

PHILADELPHIA COUNTY

Michael E. Brown, Phila., 3719 Hamilton St.
Miss Dorothy A. Burns, Phila., 3d & Huntingdon Sts. (33).
Louis J. De Olden, Phila., 2525 Dickinson St.
Mrs. Eunice S. Mail, Phila., 719 N. Uber St.
Miss Rose Ann Nicholas, Phila., Bldg. 734, Navy Yard (12).
James Terpolilli, Phila., 1415 S. 8th St.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CALENDAR

HOUSE BILL NO. 1280 CALLED UP

Mr. HEYBURN. Mr. President, in order that we may cooperate with the printer, I call up out of order on page 48, House Bill 1280, which is the general appropriation bill, in order that amendments may be made and the bill sent to the printer.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 1280, the bill just read, be recommitted to the Committee on Appropriations.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 459, as follows:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate and revise and amend the penal laws of this commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this commonwealth" is hereby amended to read as follows

Section 6 That indictments for felonies or misdemeanors committed by any officer director receiver superintendent manager broker attorney agent employe or member of any bank body corporate or public company municipal or quasi-municipal corporation may be commenced and prosecuted at any time within six years from the time the alleged offense shall have been committed The provisions of this section shall not be construed so as to apply to indictments for any felony or misdemeanor other than those as to which any of the foregoing relationships to a bank body corporate or public company or municipal or quasi-municipal corporation is an essential element of the crime

Section 2 The provisions of this act shall become effective immediately upon final enactment

Which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of al lthe Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 465, as follows:

An Act to further amend section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties by defining the word "vehicle"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 684) is hereby further amended to read as follows

Section 1 Be it enacted &c That the term "solid fuel" when used in this act shall mean anthracite semi-anthracite bituminous semi-bituminous or lignite coal briquettes boulets coke gas-house coke petroleum coke carbon charcoal or any other natural manufactured or patented fuel not sold by liquid or metered measure

The term "person" when used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm representative or employe thereof

The term "licensed weighmaster" when used in this

act shall include a person licensed to weigh solid fuel by this Commonwealth or by a bordering state issuing such licenses and recognizing licenses and weigh certificates issued by such licensees in this Commonwealth

The word "department" when used in this act shall mean the Department of Internal Affairs of the Commonwealth

The word "weighmaster" when used in this act shall mean a weighmaster licensed under this act by the Department of Internal Affairs

The word "purchaser" when used in this act shall be mean (a) the ultimate consumer to whom the solid fuel is delivered for the purpose of consumption (b) coal yard or dealer to whom solid fuel is delivered for the purpose of unloading for storage or resale where coal must be weighed before resale

The word "vehicle" when used in this act shall be construed to include the skid or other similar portable device upon which a lot of solid fuel may be placed prior to weighing and on which said lot of fuel shall remain continuously thereafter until delivered to the purchaser thereof Provided however That the use of such skids or other similar portable devices shall be subject to approval of the Secretary of Internal Affairs and Provided further That when such skids or other portable devices are used for the delivery of solid fuel it shall not be necessary to weigh the truck tractor trailer or other moving equipment upon which such skids or other portable devices may be transported

Which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 519, as follows:

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire protection providing for a State Police Porce and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" is hereby amended to read as follows

Section 8 (a) No applicant shall be appointed to the Pennsylvania State Police Force until he has satisfactorily passed a physical and mental examination based upon the standard provided by the rules and regulations of the police force of the cities of the first class in addition to which each applicant must be a citizen of the United States and of sound constitution able to ride of good moral character and between the ages of twenty-one and forty years

(b) When any person who has been honorably discharged from service in the armed forces of the United States during any war in which the United States was engaged and has successfully passed the examinations as required by this section and shall thus establish that he possesses the qualifications required by law for appointment to the Pennsylvania State Police Force such person's examination shall be marked or graded an additional ten points above the mark or grade credited for the examination and the total mark or grade thus obtained shall represent the final mark or grade of such person and shall determine his standing on any eligible list

Which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 732, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating in the Department of Welfare boards of trustees for certain penal correctional and delinquent defective institutions defining their powers and duties and changing the powers and duties of certain other penal correctional and defective delinquent institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Welfare of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Departments thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-five (Act No. 35) is hereby further amended to read as follows

Section 202 Department Administrative Boards Commissions and Officers The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective departments mentioned in the preceding section as follows

* * * * * *

In the Department of Welfare

State Council for the Blind

Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

[Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the] Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harrisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

Board of Trustees of Laurelton State Village

Board of Trustees of Pennhurst State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

Section 2 Section four hundred one of said act as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-five (Act No 35) is hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of Thaddeus Stevens Industrial School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Schoof of Trustees of Pennsylvania Soldiers' Orphan School

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
Board of Trustees of Western State Penitentiary
[Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the] Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State County for Epileptics
Board of trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on th third Tusday of January on thousand nine hundred and forty-nine the successors to each of the abovt mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers

Section 3 Section two thousand three hundred eighteen of said act as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-five (Act No. 35) is hereby further amended to read as follows

Section 2318 Boards of Trustees of State Institutions The Board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or wardens of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia
Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford
Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview
Board of Trustees at Rockview of the Minimum Security Prison at Rockview
The Pennsylvania Industrial School at Rockview
The Pennsylvania Institution for Delinquent Defectives at Rockview
Board of Trustees of [Pennsylvania Indutrial School

of Pennsylvania Industrial Reformatory to be known as Pennsylvania Industrial School at Huntingdon until its completion as an institution for the reception care maintenance detention employment and training of defective delinquents and thereafter to be known as the] Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees of the Pennsylvania Training School for Girls of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn of the Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane at Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsyuvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Fiel dof Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hopistal of the Northern Anthracite Coal Region of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital at Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The foreging powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth days of September one thousand nine hundred thirty-eight

Section 4 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate preceeded to the final consideration of Senate Bill No. 44, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing

penalties" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the Act of August 1 1941 (P. L. 686) is hereby further amended by adding thereto immediately after subsection (u) a new subsection to read as follows

Section 3 Definitions

* * *

(v) "Calendar year" shall mean the period commencing the first day of January and ending the thirty-first day of December next following

Section 2 Section thirty-nine of said act is hereby amended to read as follows

Section 39 Cancellation of Registration Upon Failure to Vote [within] During Two Calendar Years Request for Reinstatement Within three months after [the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter] January first of each year the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary [within the period of two years immediately preceding the date of said municipal or general election] during said period the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted [within a period of] during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote [within a period of] during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 1209, as follows:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals providing for the licensing of such business and the cancellation of such licenses authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "animal" as used in this act shall mean any equine animal or bovine animal sheep goat or pig and shall be taken to include the singular or plural as may be necessary in any given case

The word "department" shall mean the department of Agriculture of this Commonwealth

Section 2 This act shall not apply to the disposal of carcasses of animals slaughtered for human food nor the premises or the rendering operations on the premises of an establishment operating under official State inspection or under United States Government inspection

Section 3 Any person firm or corporation who shall receive from any other person firm or corporation by purchase or otherwise the body of any dead animal for the purpose of obtaining the hide skin or grease from such animal shall be deemed to be engaged in the business of disposing of the bodies of dead animals and must be the operator or employe of a licensed disposal plant approved by this department

Section 4 It shall be the duty of every person firm or corporation operating an approved rendering or disposal plant in this Commonwealth to apply to the department for a license to do so before the first day of June one thousand nine hundred forty-five and annually thereafter before the first day of June of each succeeding year and pay to the department at the time said application for a license or for a renewal thereof is filed a fee of ten dollars ($10.00) for each establishment operated

Section 5 Application for such license shall be made to the department on a form provided by it which application shall set forth the name and address of the applicant his place or proposed place of business and the particular method he intends to employ in disposing of such dead bodies and such other information as the department may require

Section 6 On receipt of such application the depart-

ment through its duly authorized agent shall inspect the building in which the applicant proposes to conduct such business If the agent finds that said building complies with the requirements of this act and with any rules and regulations made by the department and that the applicant is a responsible person he shall certify in writing to such specific findings and forward same to the department

Section 7 Upon approval of application for license and payment of license fee and upon approval of the said building equipment and sanitary conditions the department shall issue to each applicant a license which shall expire May thirty-first of each year and shall authorize the operation of such plant for the year or portion thereof for which a license is issued

Section 8 Such license shall be posted in a conspicuous place in or at the place of business of such license and exposed for inspection by any person or persons who may be properly authorized to make such examinations

Section 9 If an agent of the department finds that said building does not comply with the requirements of this act or with any rules and regulations of the department he shall notify the applicant wherein the same fails to so comply If within a reasonable time thereafter to be fixed by the department the specified defects are remedied the department shall make a second inspection and proceed therewith as in the case of the original inspection

Section 10 Each place used in carrying on such business shall to the satisfaction of the department be provided with floors constructed of concrete or some other non-absorbent material with adequate drainage and so constructed that it can be maintained in a cleanly condition for the prevention of the spread of disease

Section 11 All rendering plants shall have a safe water supply for drinking purposes and also an adequate supply for general washing cleansing and condensing purposes

Section 12 Toilet Facilities All toilet facilities and dressing compartments shall be in a separate room Toilets provided in rendering plants shall be conveniently located and fitted with proper lavatory accommodations lighted and ventilated

Section 13 Storage Cracklings tankage meat scraps or any finished product of a reduction or rendering plant shall not be stored where they come in contact with any raw material or dead animals utilized in connection with a rendering plant

Section 14 The department shall inspect each disposal or rendering plant as often as it deems necessary and shall see that the business is conducted in conformity to this act and any rules and regulations made by the department pertaining to this act

Section 15 It is unlawful to hinder impede or prevent any duly authorized agent or employe of the department from entering any disposal or rendering plant or any part of any building used in conjunction therewith in the disposal of dead animals

Section 16 (a) If upon examination it is found that any rendering plant or any part thereof or any equipment or the outside premises of any such plant is being conducted or used in an insanitary condition the agent of the department making such examination shall notify the owner lessee or manager in writing and at the same time report the unlawful condition to the department

(b) Upon receipt of such report the edpartment shall notify the proper owner lessee or manager of the result of the examination and direct that the unlawful condition be remedied within the time specified in the notice Provided That the time specified shall not be less than twenty-four hours unless the unlawful condition mentioned in said notice is of such character and nature as in the opinion of the department or its agent can be removed immediately

(c) If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied the department may order the license suspended or revoked and the plant closed it is unlawful to operate a rendering plant or any part thereof which has been closed and the license suspended or revoked by the department until the unlawful condition reported to exist has been remedied to the satisfaction of the department The closing of a rendering plant or any part thereof or the suspension or revocation of the license shall not preclude prosecution for violation of this act

Section 17 The following requirements shall be observed in the disposal of the bodies of dead animals

(a) The carcasses of animals that have died of Anthrax or Black Leg shall not be skinned or opened excepting when considered necessary by an approved licensed veterinarian in order to make a definite diagnosis and shall be completely burned or buried six feet deep and covered with quick lime The stalls stables or sheds occupied by animals that have died of Anthrax or Black Leg shall be completely cleaned and disinfected All litter and manure should be burned and the floor and utensils disinfected by saturation with a five per cent lye solution (sodium hydroxide)

(b) If it is necessary to move a carcass of an animal that has died of Anthrax or Black Leg the natural openings shall be plugged with cotton or other suitable material The carcass shall be rolled on to a stone boat or skid and hauled to the nearest spot suitable for burning or burial The stone boat or skid shall be burned or thoroughly disinfected

(c) No person caring for or owning any animal that has died shall allow the carcass to lie about his premises Such carcass shall be disposed of within twenty-four hours after death by burying burning or by disposition within said time to a person engaged in the business of disposing of the bodies of dead animals as provided by this act

(d) All carcasses shall be completely processed or rendered within forty-eight hours after being delivered to any rendering plant

(e) Cooking vats or tanks shall be air tight except proper escapes for live steam

(f)) Steam shall be disposed of so as not to cause unnecessary annoyance or create a nuisance

(g) The skinning and dismembering of bodies shall be done within the rendering plant

(h) No uncooked carcasses or parts of carcasses including offal of any description shall be used for animal feeding of any type whatsoever

(i) When bodies are disposed by cremation such portions as are not entirely consumed shall be disposed of by burying as hereinafter provided

(j) No dead animals offal or parts of dead animals may be transported into Pennsylvania unless they are consigned and delivered to an approved licensed rendering plant and processed in acccordance with the provisions of this act

Section 18 Any person holding a license under the provisions of this act may haul and transport the carcasses of animals that have died from disease except those prohibited by the department in a covered vehicle bed or tank which is watertight and is so constructed that no drippings or seepings from such carcasses can escape from such vehicle bed or tank Such vehicle shall not be driven into the yard or upon the premises of any person unless the driver first obtains the permission of such person to do so

Section 19 The driver or owner of a vehicle used in conveying dead animals which said driver or owner has reason to believe died of disease shall immediately after unloading said animals cause the vehicle bed tank the wheels thereof all canvassing and covers to be washed and disinfected with a solution of not less than three per cent (3%) of a standard compound solution of cresol and hot water or with some other equally effective disinfectant

Section 20 In case of disposal by burial the carcass and all its parts shall be buried in such place that shall not be subjected to overflow from ponds or streams and which shall be distant not less than one hundred (100) feet from any water course well or spring public high-

way house or stable In burying such carcass it shall be covered with quick lime to a depth of not less than three inches and the top of such carcass shall not be within two (2) feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface Such grave shall be protected so that the carcass may not be accessible to dogs or other animals

Section 21 To protect the public health and to prevent the spread of disease among domestic animals the department may adopt and promulgate such rules and regulations as it may deem necessary in carrying out the provisions of this act

Section 22 Any person who shall violate any of the provisions of this act or any rule regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars and cost of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for not more than thirty (30) days and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one year or both in the discretion of the court

All fines imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 23 Nothing in this act shall interfere with or limit any law relating to domestic animals to prevent the spread of disease nor does this act repeal or affect any act or parts of acts or any quarantine regulation made in accordance with the provisions of existing acts

Section 24 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas.
Bowers,	Haluska,	Margie.	Troutman,
Carr.	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland.	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox.	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones.	Snowden.	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 58, as follows:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined"as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 222. Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a department administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen days' vacation leave and sick leave not to exceed fifteen days [of absence] with full pay and in special and meritorious cases where to limit the annual vacation or sick leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may [in the discretion of the head of the department or of the board or commission] be extended beyond any unused leave that may have accumulated as hereafter provided [but any such extension shall not be for more than fifteen days except] with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected Both the vacation leave and sick leave shall

be cumulative under the following conditions (a) Where it has been impossible to grant to an employe all or any part of the vacation leave during the calendar year in which it is accrued such unused vacation leave may be accumulated and granted to the employe during the succeeding calendar year and (b) Unused sick leave may be accumulated not to exceed fifteen days in addition to sick leave accruing for the current calendar year and may be granted to the employe upon presentation of evidence satisfactory to the employer in instances of extended hospitalization protracted illnesses or serious injury This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual vacation leave and the annual sick leave [of absence] with pay shall be exclusive of Saturdays Sundays and legal holidays

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. COX. Mr. President, I urge the passage of this bill. This is fine legislation because it makes working conditions for employes in this Commonwealth more livable.

However, Mr. President, I can not forget that in the Senate Committee on Education there is a bill which tried to do a similar thing for the school teachers of Pennsylvania. Unfortunately that bill is dead for this session, but I hope when the Senate convenes two years from now they will remember passage of this bill and do the same thing for their civil employes who man our public schools.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 88, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars ($25,000.00) or as much thereof as is necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-five to be used by the State Board for Vocational Education for the purpose of employing a qualified supervisor and clerical assistant providing necessary travel and maintenance and legal and other services as may be necessary in assisting the board in formulating rules and regulations conducting inspections proceeding reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private trade schools and classes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 171, as follows:

An Act providing for the complete medical and dental examination of all children of school age and teachers and other school emlpoyes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "School Health Act"

Section 2 Definitions "Children of School age" means every child attending or who should attend an elementary grade or high school either public or private within the Commonwealth

"Teachers" mean professional employes temporary professional employes and substitutes and instructors in public or private schools within the Commonwealth

"Other employes" means janitors bus drivers cooks and other cafeteria help and all others employed at schools

"Medical Examiner" means a physician legally qualified to practice medicine in the Commonwealth who has been appointed or approved by the Secretary of Health

"Dental Examiner" means a doctor of dental surgery

or dental medicine legally qualified to practice dentistry in the Commonwealth who has been approved by the Secretary of Health

Section 3 Medical and Dental Examinations All children of school age during the time they are members of the first third fifth seventh ninth and eleventh grades in any school within the Commonwealth teachers janitors cooks and other cafeteria help and all others employed at schools within the Commonwealth shall at least once in every two years be given a complete medical and dental examination by medical and dental examiners appointed by the Secretary of Health in fourth class districts and by medical and dental examiners appointed or approved by him in first second and third class districts Teachers and all other school employes shall be given a complete medical examination every two years

Section 4 The medical and dental examinations shall be made in health rooms clinics or rooms set aside for this special purpose that are equipped with the necessary accessories to insure privacy adequate heat and light The medical examinations will require the removal of sufficient clothing to insure complete examination Medical and dental examinations shall include X-rays and such other examinations that may be deemed necessary by the medical or dental examiners School districts and private schools may make arrangements for the use of the hospital laboratories and facilities for examinations herein provided for subject to the approval of the Department of Health and the Department of Public Instruction and the provisions of this act

Section 5 The rate of medical examination shall not be in excess of more than four children teachers or other employes per hour The rate of dental examination shall not be in excess of more than eight children per hour All examinations shall be recorded in their entirety on standard forms as prescribed or approved by the Department of Health

Section 6 All medical examiners shall be assisted by a registered nurse and dental examiners by a registered nurse or if available a dental hygienist or other assistant who shall be present during each examination Parents of children of school age shall be advised in advance as to the date of examinations and urged to be present The examinations in all districts shall be completed on or before the close of the school year

Section 7 Medical and dental examiners shall make such reports of their findings to the proper school officials and to the Department of Health as they may require recommendations as to medical surgical or dental care shall be sent to each parent or guardian as the case may be on forms prepared by the Department of Health with instructions to consult the family physician or dentist The medical and dental examiners shall submit an additional report to the proper school authorities and the Department of Health on the health corrections advised at the last periodic examination on standard forms provided for the purpose In making examinations and advising the parent and family physician the medical examiners shall give special attention to symptoms of rheumatic fever and all other diseases of childhood

Section 8 It is the intent and legislative purpose of this act that a complete and permanent medical and dental record be established and maintained in order to assist in building sound minds and healthy bodies for the youth of Pennsylvania The records established hereunder may among other include a record of tuberculosis blood analysis urinalysis and necessary X-rays and such other records as the Department of Health in conjunction with the Advisory Health Board may deem necessary

All records established and maintained pursuant to this act shall be confidential and their contents shall be divulged only as herein provided

Section 9 The medical and dental examiners shall review the results of the examination with the principal or teacher concerning the report sent to the parent

Section 10 Nothing in this act shall be construed as replacing such medical services in any school district as may now exist or are required by law or regulations of the Department of Health

Section 11. This act shall not be construed to compel any person to submit to any medical or dental examination or treatment, under the authority of this act, when such person or the parent or guardian of any such person objects to such examination or treatment on religious grounds or to permit any discrimination against such person on account of such objection: Provided, That exemption from medical or dental examinations shall not be granted if the Secretary of Health shall find that facts exist under which such exemption constitutes a present substantial menace to the health of other persons exposed to contact with the unexamined person.

Section 12 Any child of school age teacher or other employe may meet the requirements of this act by providing the local school officials with a medical or dental report of examinations made at his own expense by a medical or dental report of examinations made at his own expense by a medical or dental examiner of his own choice on a form approved by the Department of Health for this purpose

Section 13 The medical service for school districts of the first second and third class shall include those services that are now required by existing law or regulations of the Department of Health and the complete medical and dental examinations of those children of school age teachers and other employes provided for in this act Provided however That the medical examinations provided for herein for the first third fifth seventh ninth and eleventh grades shall be in lieu of all other medical examinations provided for by law for children who are members of such grades Report of Health Service On or before the beginning of the school year school districts of the first second and third class shall file with the Secretary of Health a report including the estimated number of children of school age teachers and other employes who will be given a complete medical examination and children of school age who will be given a complete dental examination during the ensuing school year and the names of the medical and dental examiners and other health personnel to be employed who will be responsible for carrying out the requirements of this act Upon submission of such reports the Secretary of Health may then approve the service for the ensuing year

Section 14 Compensation for Medical and Dental Examiners school districts of the first second and third class and Medical and dental examiners in fourth class school districts shall be paid from Commonwealth funds at the rate of one dollar and fifty cents ($1.50) for each medical examination and seventy-five cents (75c) for each dental examination School districts of the first second and third class shall report to the Secretary of Health the number of children of school age teachers and other employes who have been given a complete medical and dental examination and shall certify that the funds receivable under the provisions of this act have been paid to medical and dental examiners nurses and dental hygienists or other assistants for the purposes of the act On receipt of such report and certification the Department of Health shall reimburse the school district in the amount expended

The Department shall likewise reimburse school districts of first second and third class for expenditures for laboratory or other special examinations designated in section four of this act provided that the facilities of the school district or local department or board of health or State Department of Health were inadequate to furnish the examination required

Section 15 The Department of Health in conjunction with the Advisory Health Board and with the cooperation of the State Superintendent of Public Instruction shall have power to adopt prescribe and enforce such rules and regulations with regard to the type and extent of the medical and the dental examinations the frequency of the examinations the type of records to be kept and such rules and regulations as may be deemed necessary for carrying out the provisions and purposes of this act

Section 16 This act shall become effective immediately upon final enactment but the program provided for herein shall not be put into operation until the beginning of

the school year one thousand nine hundred forty-five one thousand nine hundred forty-six (1945-46) If at the beginning of the school year one thousand nine hundred forty-five one thousand nine hundred forty-six (1945-1946) conditions created by the present war will not permit the institution of the program in full then and in such event the plan shall be put into operation in part or parts as such war conditions permit

Section 17 The sum of $4,700,000 or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the purpose of carrying out the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to reenact and amend the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 68) entitled "An act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties" extending its provisions to counties of the fourth fifth sixth seventh and eighth class and conferring powers and imposing duties on county engineers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 68) entitled "An act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties" are hereby reenacted and amended to read as follows

An Act authorizing the county commissioners of each county [of the third class] (except counties of the first and second class) to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor or the county engineer the sheriff and the recorder of deeds in such county and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of procuring accurate information in reference to the ownership of real estate the board of county commissioners of any county of the third fourth fifth sixth seventh or eighth class may provide by resolution for a Registry Survey Bureau which shall be operated as a separate bureau under the supervision of the county surveyor or of the county engineer as provided by the resolution in quarters to be made available by the county commissioners and which shall provide for the registry of all real estate in said county in the manner hereinafter prescribed

The county commissioners are hereby authorized to appropriate such sums as may be necessary for the establishment and maintenance of such bureau and to employ such engineers surveyors draughtsmen clerks or other assistants as may be necessary to enable such bureau to perform efficiently and properly the functions prescribed by this act

Section 2 The Registry Survey Bureau of any county [of the third class] established as aforesaid shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be so prepared as to show the house number if any the name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title The bureau shall provide for and maintain a separate record for the area covered by each city borough incorporated town or township in the county For the above purposes the employes of the bureau shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor The bureau may also cause search to be made in any other place for any muniments or evidence of title not reported to it as hereinafter provided and requisite for the completion of such books maps or plans

Section 3 The said books maps and plans shall be carefully preserved in the office of the bureau and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the county limits with the succeeding transmissions of title from the date of the commencement of such plans but nothing therein or in this act shall invalidate any county or municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 4 Certified copies under the seal of the bureau of any of the entries in said books or upon said maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the county as may be fixed by resolution

Section 5 All owners of unregistered real estate within the county limits within one month from the date of the approval of the resolution establishing a Registry Survey Bureau and every subsequent purchaser and every de-

visee or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title shall furnish to the said bureau at its office descriptions of their respective properties upon blanks furnished by the bureau and at the same time present their conveyance to be stamped by said bureau as evidence of the registration thereof. The board of county commisioners may provide by resolution for the collection of a fee not in excess of seventy-five cents (75c) for each registration

Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of ten dollars ($10) to be recovered with costs of suit in the name and for the use of the county as penalties for the violation of county resolutions are recoverable

Section 6 The sheriff of any county in which such bureau is established shall present for registry the deeds of all properties within the county limits sold by him at judicial sales whether by execution or in partition or otherwise and the recorder of deeds of such county shall not admit for record any deed of any property in such county bearing date subsequent to the approval of the resolution establishing such bureau unless the same shall first have been duly stamped as herein provided

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 279, as follows:

An Act to amend section one of the act approved the first day of June one thousand nine hundred forty-three (App Acts p 15) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto" increasing the amount of such appropriation and extending the time thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the first day of June one thousand nine hundred forty-three (App Acts p 15) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto" is hereby amended to read as follows

Section 1 The sum of [Forty thousand dollars ($40,000)] eighty thousand dollars ($80,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for expenditure by said department [until the first day of June one thousand nine hundred and forty-five] for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and to carry into effect the provisions of existing laws relating thereto The appropriation made hereby shall not lapse at the end of any fiscal biennium but shall continue to be available until expended for the purposes for which it is made

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 509, as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars ($25,000) or as much thereof as may be necessary is hereby appropriated out of the Motor License Fund to the Department of Public Instruction for the two fiscal years commencing June first one thousand nine hundred forty-five for the purpose of promoting highway safety education through the schools in this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,

Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 514, on third reading, entitled:

An Act to amend subsection (b) of section sixteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to viote at elections and primaries and their enrollment as members of politcial parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens partics political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" requiring registrars to sit in voting precincts upon the petition of a certain number of qualified electors thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President. I ask unanimous consent that Senate Bill No. 531, on third reading, entitled:

An Act to further amend section five hundred two and section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating laws relating thereto" requiring submission of all plans for public improvements to the County Planning Commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 533, on third reading, entitled:

An Act concerning liens of factors on merchandise and defining "factor"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on third reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including but not limited to livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 618, as follows:

An Act relating to and regulating the practice of the profession of engineering including civil engineering mcchanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations theerof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Professional Engineers Registration Law"

Section 2 Definitions As used in this act

(a) "Practice of Engineering" means the practice of the profession which engages in the application of mathematics and the physical sciences and in the utilization of the forces energies and materials of nature and in the measurement and delineation of the earth's surface for the development production and functioning of engineering processes apparatus machines equipment facilities structures works or utilities or any combinations or aggregations thereof employed in or devoted to private enterprises or uses Such practice includes consulation investigation research surveys planning designing direction supervision and such other services or acts as are a necessary part of such practice The term "practice of engineering" comprehends the practice of civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying or any constituent port or parts of these or combination thereof such as architectural engineering ceramic engineering industrial engineering metallurgical engineerng petroleum and natural gas engineering sanitary engineering and structural engineering and structural engineering the pursuit of any of which affect life health or property or the public welfare Said practice also includes the doing of such architectual work as is incidental to the practice of engineering

(b) "Engineering-in-Training" means a candidate for licensure as a professional engineer who has been granted a certificate as an engineer-in-training by reason of graduation from an approved institution or college or after successfully passing the prescribed written examination in fundamental engineering subjects and who shall be eligible upon the completion of the requisite years of experience in engineering under the supervision of a professional engineer or similarly qualified engineer for the final examination prescribed for licensure as a professional engineer

(c) "Practice of Surveying" means the practice of that branch of the profession of engineering which makes surveys for the determination of area and for the establishment or reestablishment of land boundaries and the subdivision and plotting of land and who makes surveys for the establishment of lines grades or elevations for carrying out engineering work and who in connection therewith determines quantities of materials and prepares plans or specifications for minor work not involving safety to life or health and who determines quantities or who makes estimates for proposed work or for work under construction or work that is completed or who in addition to the foregoing makes estimates of quantities of mineral or minerals in place or that have been removed

(d) "Professional Engineer" means an individual licensed and registered under the laws of this Commonwealth to engage in the practice of engineering

(e) "Surveyor" means an individual licensed and registered under the laws of this Commonwealth to engage in the practice of surveying A surveyor may not practice any other branch of engineering

(f) "Board" means The State Registration Board for Professional Engineers

(g) "Department" means the Department of Public Instruction

(h) "Responsible Charge" means such degree of competence and accountability gained by technical education and experience of a grade and character as is sufficient to qualify an individual to personally and independently engage in and be entrusted with the work involved in the practice of engineering or surveying

Section 3 Practice of Engineering or Surveying Without Licensure and Registration Prohibited In order to safeguard life health or property and to promote the general welfare it is unlawful for any person to engage or to offer to engage in the practice of engineering in this Commonwealth unless he is licensed and registered under the laws of this Commonwealth as a professional engineer or for any person to engage or to offer to engage in the practice of surveying unless he is licensed and registered under the laws of this Commonwealth as a surveyor or as a professional engineer It is unlawful for any person to use in connection with his name or to otherwise assume use or advertise any title or description tending to convey the impression that he is a professional engineer or a surveyor or that he is engaged in the practice of engineering or surveying unless such person is licensed and registered with the board

Section 4 General Powers of Board The Board shall have power

(a) Approval of Institutions and Colleges To investigate and to approve or disapprove institutions and colleges of this state and other states territories and countries for the education of students desiring to be licensed to engage in the practice of engineering and to revoke or suspend approvals where such institutions and colleges no longer are deemed proper

(b) Licensing Professional Engineers To provide for and to regulate the licensing and to license to engage in the practice of engineering any person of good character and repute who is a citizen of the United States or has declared his intention of decoming a citizen thereof at least twenty-five years of age and who speaks and writes the English language if such person either

(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state in which the requirements and qualifications to engage in the practice of engineering are at least equal to the standards of this Commonwealth Provided however That such other state or territory shall similarly license or register professional engineers licensed and registered in this Commonwealth A person may be licensed under this subdivision without examination

(2) Holds a certificate of qualifications issued by the National Bureau of Engineering Registration of the National Council of State Boards of Engineering Examiners Provided the requirements and qualifications of said bodies to engage in the practice of engineering are at least equal to the standards of this Commonwealth A person may be licensed under this subdivision without examination

In carrying into effect clauses (1) and (2) of subdivision (b) of this section the board may in its discretion enter into agreements for reciprocity with the National Council of State Boards of Engineering Examiners and with states under such rules and regulations as the board may prescribe

(3) Has had four or more years' experience in engineering work under the supervision of a professional engineer or a similarly qualified engineer of a grade or character to fit him to assume responsible charge of the work involved in the practice of engineering and is either an engineer-in-training or a graduate in engineering of an approved institution or college having a course in engineering of four or more years or has had ten years of experience in engineering work seven years of which shall have been in teaching or study in an approved institution or college and three years of which shall have been active experience in engineering work under the supervision of a professional engineer or a similarly qualified engineer of a grade or character to fit him to assume responsible charge of the work involved in the practice of engineering and who is a graduate of an approved institution or college having a course in engineering of four or more years and who in either event successfully passes a written examination prescribed by the board in engineering subjects In the case of the examination of an engineer-in-training his examination shall be directed and limited to those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering In the case of an applicant who is not an engineer-in-training the examination shall be for the purpose of testing the applicant's knowledge of fundamental engineering subjects including mathematics and the physical sciences and those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering

(4) Has had twelve or more years of active experience in engineering work at least eight years of which shall have been under the supervision of a professional engineer or similarly qualified engineer of a grade and character to fit him to assume responsible charge of the work involved in the practice of engineering and who successfully passes a written examination prescribed by the board for the purpose of testing the applicant's knowledge of fundamental engineering subjects including mathematics and the physical sciences and those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering

(c) Examination and Certification of Engineers-in-Training To provide for and to regulate the examination of any person who has had four or more years' experience in engineering work and who produces satisfactory evidence to show knowledge skill and education approximating that attained through graduation from an approved institution or college and to issue to any such person who succesfully passes such examination a certificate showing that he has successfully passed this portion of the professional examination and is recognized as an engineer-in-training The examination of applicants as engineers-in-training shall be designed to permit an applicant for licensure as a profesional engineer to take his examination in two stages The examination for certification as an engineer-in-training shall be for the purpose

of testing the applicant's knowledge of fundamental engineering subjects including mathematics and the physical sciences Satisfactory passing of this portion of the examination shall constitute a credit for the life of the applicant or until he is licensed under this act as a professional engineer

Any person who is a graduate in engineering from an approved institution or college having a course of four years or more in engineering shall be granted a certificate as an engineering-in-training without examination

(d) Licensing of Surveyors To provide for and to regulate the licensing and to license to engage in the practice of surveying any person of good character and repute who is a citizen of the United States or has declared his intention of becoming a citizen thereof at least twenty-one years of age and who speaks and writes the English language if such person

(1) Has graduated in engineering from an approved institution or college having an engineering course of not less than four years and has had two or more years experience in surveying under the supervision of a professional engineer or surveyor of a character indicating that the applicant is competent to assume responsible charge of the practice of surveying A person may be licensed under this subdivision without examination

(2) Has had six or more years' active experience in surveying work under the supervision of a professional engineer or surveyor of a character indicating that the applicant is competent to assume responsible charge of the work involved in the practice of surveying and who successfully passes a written examination prescribed by the board in surveying subjects

(e) Investigations of Applications Determination of Competency of Applicants To investigate the allegations contained in any application for licensure or certification under this act in order to determine the truth of such allegations and to determine the comptency of any person applying for licensure to assume responsible charge of the work involved in the practice of engineering or surveying such competency to be determined by the grade and character of the engineering work or the grade and character of the surveying work actually performed The mere execution as a contractor of work designed by a professonal engineer or the supervision of the construction of such work as a foreman or superintendent or the operation or maintenance of machinery or equipment or work performed as a salesman of engineering equipment or apparatus shall not be deemed to be active practice in engineering unless such work has involved the actual practice of engineering Engineering and surveying work performed under the supervision of a professional engineer or surveyor shall be given full credit Whenever the board determines otherwise than by examination that an applicant has not produced sufficient evidence to show that he is competent to be placed in responsible charge and shall refuse to examine or to license such applicant it shall set forth in writing its findings and the reasons for its conclusions and furnish a copy thereof to the applicant

(f) Examinations Fees To prescribe the subjects manner time and place of examinations for licenses as professional engineers and surveyors and for certificates for engineers-in-training and the filing of applications for such examinations and to conduct and provide for the conduct of such examinations to make written reports of such examinations which reports shall be preserved for a period of not less than three years to collect such fees for such examinations and for licenses and certificates issued without examination as may be fixed according to law and to issue licenses and certificates to such persons as successfully pass such examinations

(g) Annual Registration Fees To provide for regulate and require all persons licensed in accordance with the provisions of this act and all persons licensed and registered under prior laws of this Commonwealth relating to the licensing of professional engineers and surveyors to register annually with the board to prescribe the form of such registration and the payment of such annual registration fee as shall be fixed according to law to issue annual registration to such persons and to suspend or revoke the license or registration of such persons as fail refuse or neglect to so register or pay such fee within such time as the board shall prescribe by its rules and regulations and to reinstate licenses and registrations of persons who shall thereafter pay such registration fees in accordance with the rules and regulations of the board

(h) Roster of Registrants To keep a roster showing the names and addresses of the places of business of all professional engineers and surveyors licensed under this act and under prior laws and registered by the board which roster shall be published in booklet form by the board at least once every two years Copies of the roster shall be mailed to each registered person and be furnished to other persons upon request

(i) Suspension and Revocation of Licenses Registrations and Certificates Reinstatements To suspend or revoke the license and registration of any professional engineer or surveyor or the certificate of any engineer-in-training who is found guilty by the board by a majority vote of all its members of the practice of any fraud deceit or misrepresentation in obtaining his license certification or registration or of gross negligence incompetency or misconduct in the practice of engineering or in the practice of surveying or of violation of the code of ethics of the engineering profession and to reinstate licenses registrations and certificates in any cases where a majority of all the members of the board shall determine the same to be just and proper

(j) Financial Requirements of Board To submit biennially to the department an estimate of the financial requirements of the board for administrative investigative legal and miscellaneous expenses

(k) Administration and Enforcement of Laws To administer and enforce the laws of the Commonwealth relating to the practice of engineering and surveying and to instruct and require its agents to bring prosecutions for unauthorized and unlawful practices

(l) Minutes and Records To keep minutes and records of all its transactions and proceedings Copies thereof duly certified by the Secretary of the board shall be received in evidence in all courts and elsewhere

(m) Member of National Council of State Boards of Engineering Examiners Dues To become a member of the National Council of State Boards of Engineering Examiners and to pay such dues as said council shall establish and to send a delegate to the annual meeting of said council and to defray his expenses

(n) Administrative Rules and Regulations To adopt promulgate and enforce such administrative rules and regulations not inconsistent with this act as are deemed necessary and proper by the board to carry into effect the powers conferred by this act

Section 5 Exemption from Licensure and Registration This act shall not be construed to require licensure and registration in the following cases

(a) The practice of engineering or surveying by any person who acts under the supervision of a professional engineer or surveyor or by an employe of a person lawfully engaged in the practice of engineering or surveying and who in either event does not assume responsible charge of design or supervisions

(b) The practice of engineering or surveying not exceeding thirty days in the aggregate in one calendar year by a nonresident not having a place of business in this Commonwealth if such person is legally qualified to engage in the practice of engineering or surveying in the state or territory of his residence Provided That standards of such state or territory are at least equal to the standards of this Commonyealth

(c) The practice of engineering or surveying by officers and employes of the United States Government for the said government

(d) The practice of engineering or surveying by a regular employe of a public utility company as defined

by the Pennsylvania Public Utility Law in connection with the facilities of such public utility which are subject to regulaton by the Pennsylvania Public Utility Commission Provided That such public utility shall employ at least one professional engineer who shall be in responsible charge of such utility's engineering work

(e) The practice of architecture by a duly registered architect and the doing of such engineering work as is incidental to his architectural work

(f) The practice of engineering or land surveying by any person or by any employe of any copartnership association or corporation upon property owned by such person or such copartnership association or corporation unless such practice affects the public safety or health or the property of some other person

Section 6 Practice by Firms and Corporations The practice of engineering and of surveying being the function of an individual or of individuals working in concerted effort it shall be unlawful for any firm or corporation to engage in such practice or to offer to practice or to assume use or advertise any title or description conveying the impression that such firm or corporation is engaged in or is offering practice such profession unless the directing heads and employes of such firm or corporation in responsible charge of its activities in the practice of such profession are licensed and registered in conformity with the requirements of this act and whose name and seal shall be stamped on all plans specification plates and reports issued by such firm or corporation

Section 7 Seal of Registrants Each person registered under this act shall obtain a seal of a design authorized by the board which shall bear the registrant's name and number and the legend "Registered Professional Engineer" or "Registered Surveyor" Such seal or a facsimile imprint of same shall be stamped on all plans specifications plates and reports issued by a professional engineer or surveyor

It shall be unlawful for any person to use such seal during the period the license or registration of the holder thereof has been suspended or revoked or to use a seal of any design not approved by the board

Section 8 Procedure for the Supension and Revocation of Licenses and Registration Appeals Before the license of any licensee or any registration or any certification is suspended or revoked by the board a written copy of the complaint made shall be furnished to the licensee registrant or person against whom the same is directed and an opportunity be offered him to be heard before the board personally and by counsel At least ten days' written notice of the time and place of such hearing shall be given the licensee, registrant or person by registered mail addressed to the post office address as shown on the annual registration or other record or information in possession of the board

Any person aggrieved by the action of the board in suspending or revoking a license registration or certification or by any other action of the board which is alleged to be improper unreasonable or unlawful may appeal from such action of the board in writing to the Court of Common Pleas of Dauphin County

Appeals from suspensions and revocations of license registrations and certifications must be taken within thirty days after such suspension or revocation of which action immediate notice shall be given by the board to the licensee registrant or person by registered mail addressed as above purovided In the case of appeals from other actions of the board the appeal may be taken at any time by the person aggrieved by such action No such appeal shall act as supersedeas unless specially allowed by the court

Appeals shall be taken by serving upon the board written notice of such appeal together with reasons for such appeal Such service shall be made by filing the said notice of appeal in the office of the board

Within thirty days after the service of such notice of appeal the board shall file with the prothonotary of the said court of common pleas a transcript of the record of the proceedings Notice of the filing of said transcript with the term and number to which filed shall be forthwith given by the board to the appellant and as well to the party or parties if any upon whose complaint the proceedings before the board were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for the certification shall be entered as part of the record costs in the cause to be paid as the court may direct

The court upon application by the board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard by the judge or judges of the court without a jury The court shall affirm the decision of the board unless it shall find the same is in violation of the constitutional rights of the appellant or is not in accordance with law or was made upon unlawful procedure or that any findng of fact made by the board and necessary to support its adjudication is not supported by substantial evidence If the adjudication of the board is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the board for further disposition in accordance wth the order of court

Either party may appeal from the decision of the Court of Common Pleas of Dauphin County to the Superior Court Such appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases of appeal to the Superior Court and the records certified to the Superior Court shall contain all that was before the court of common pleas The decree of the Superior Court shall be final and conclusive

Section 9 Fees The fee for an applicant for licensure as a profesional engineer or surveyor including examination and for examination or certification or both as an engneer-in-training and for annual registration as in this act required shall be fixed by the department in accordance with existing law All fees collected under the provisions of this act shall be received by the department and shall be paid into the state treasury through the Department of Revenue for the use of the general fund of the Commonwealth

Section 10 Status of Existing of Licensees and Registrants Preserved Any person licensed or legally authorized to practice as a professional engineer or surveyor in in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of engineering or surveying without being required to be licensed anew under the provisions of this act subject however to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in this act and subject to the power of the board to require any such person to register annually with the board as provided in this act

Section 11 Penalties Whoever shall engage in the practice of engineering or the practice of surveying without being licensed and registered as required by this act or exempted therefrom as provided in this act or shall present or attempt to use as his own the license or certificate of registration of another or shall give any false or forged evidence of any kind to the board or to any member thereof in order to obtain a license or registration as a professional engineer or surveyor or a certificate as an engineer-in-training or shall use any expired suspended or revoked certificate of registration or shall otherwise violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or suffer imprisonment not exceeding three months or both

Section 12 Repeal The act approved the sixth day of May one thousand nine hundred and twenty-seven (P. L. 820) is hereby repealed except that said act shall not be repealed insofar as applications for licensure shall be made thereunder by honorably discharged members of the armed forces of the United States and for such purposes the said act shall remain in full force and effect until two years after proclamation by the President of the United States

that hostilities in all wars in which the United States is now engaged have ceased

Section 13 Effective Date This act shall become effective June thirtieth one thousand nine hundred and forty-six

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, I would like to interrogate the gentleman from Mercer, Senator Thomas.

The PRESIDENT. Will the gentleman from Mercer permit himself to be interrogated.

Mr. THOMAS. I will, Mr. President.

Mr. HOLLAND. Has the gentleman from Mercer read the amendments to this bill?

Mr. THOMAS. The amendments on page 6?

Mr. HOLLAND. Yes.

Mr. THOMAS. Yes, I have.

Mr. HOLLAND. What does the amendment do?

Mr. THOMAS. Ten year's experience; that is the gist of it.

Mr. HOLLAND. Is not the bill now so amended that engineers in private employment are exempt from this act?

Mr. THOMAS. I think that is right, yes sir.

Mr. HOLLAND. It will apply only to people in public office, is that right?

Mr. THOMAS. Mr. President, there are two bills that are supposed to help the engineering profession and this is one. There is another one which was introduced by the gentleman from Lebanon, Senator Becker. Mr. Becker's bill passed yesterday. This bill was introduced as a result of recommendations of the State Board of Professional Engineers.

Mr. HOLLAND. Mr. President, I now desire to interrogate the gentleman from Lancaster.

The PRESIDENT. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. HOMSHER. I will, Mr. President.

Mr. HOLLAND. Is this the bill which was amended so that private employment was exempted from coming under the restrictions of the bill.

Mr. HOMSHER. To what page does the gentleman from Allegheny refer?

Mr. HOLLAND. There were amendments to either this bill or the bill introduced by the gentleman from Lebanon, Senator Becker, which would exempt private employment.

Mr. HOMSHER. This bill was amended. I will have to look at the amendments.

Mr. HOLLAND. Amendments which would take private employment out of the provisions of the bill; were those amendments put into this bill?

Mr. HOMSHER. Yes, that is in the bill.

Mr. HOLLAND. It is in this bill?

Mr. HOMSHER. Yes. I will tell you why if you care to know.

Mr. HOLLAND. I am going to vote for this bill, Mr. President, but I do not think it is fair to exempt private employment from the provisions of the bill. After all, the greater part of these engineers are working in private employment. I understand that the Manufacturers Association insisted that these amendments be put in the bill. However, I think it is a step in the right direction. I am going to vote for this bill, but I do object to the Manufcaturers Association dictating how legislation shall be passed.

Mr. HOMSHER. Mr. President, I would like to explain why that provision has been put in this bill. Some of our industrial plants require a very special kind of engineering. Under the provisions of this bill, when it becomes effective, engineers from other states would not be able to come into Pennsylvania and work for more than a period of thirty days at a time, unless they have Pennsylvania licenses, even if they do have professional engineering licenses from some other state. A number of industrial plants claim that they must get men with this special training from wherever they can get them, for periods longer than thirty days, and thus enable these plants to employ special engineers for so long as they may need them, from wherever they can get them.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 641, on third reading, entitled:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a socalled spendthrift trust provision or similar provisions and providing for the execution delivery and recording of such release or disclaimer

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL DROPPED FROM CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate No. 650, on third reading, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers, and real estate salesmen and their business" excluding persons engaged in selling cemetery plots from the provisions of the act

be dropped from the Calendar.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 664, as follows:

An Act providing for the construction of a museum building and the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of lands adjacent to the Bushy Run Batltefield State Park and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of further perpetuating and preserving the place in Westmoreland County Pennsylvania where on August fifth and sixth one thousand seven hundred and sixty-three occurred the battle of Bushy Run in which Colonel Henry Bouquet defeated the Indians in one of the most decisive engagements in American Colonial history the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission is hereby authorized to purchase tracts of land in the area on which the battle was waged and adjoining the present Bushy Run Battlefield State Park and to construct a stone museum building on that part of the battlefield or land adjoining the battlefield now owned or hereafter acquired by the Commonwealth for the purpose of housing and preserving relics of early Indian and Colonial life habits and customs now stored in wooden buildings and such relics as shall hereafter be acquired Plans for such building now in the possession of the Bushy Run Battlefield Commission and stone from a quarry located on the said land owned by the Commonwealth to be utilized in the construction of said museum

Section 2 The sum of twenty-five thousand dollars ($25,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the acquisition of lands adjacent to the present Bushy Run Battlefield State Park the construction of a stone museum building the erection of monuments or memorials the improvement restoration and maintenance of said addition to present park and the museum building and expenses incurred in carrying out the provisions of this act Payment from said appropriation shall be made by requisition of the Secretary of Forests and Waters on the Auditor General in the manner provided by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of al lthe Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 665, on third reading, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the designation of State depositories and limiting the deposit of State moneys therein

be recommitted to the Committee on Banking, for the purpose of further study.

Mr. JAMES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, if I were sure this bill were being recommitted for the purpose of further study I would have to agree. I might say to the members of the Senate that this bill was introduced in order to try to solve the matter of depositories for state moneys, as there is an enormous amount of money in the state treasury and no depositories to take it; that is the only reason the

bill was introduced, at the suggestion of the state treasurer.

However, Mr. President, if the caucus has decided the bill shall be buried, I suggest that it go to the same committee as Senate Bill 650, so they can peacefully rest side by side.

Mr. MALLERY. Mr. President, I might say to the sponsor of the bill—he will be surprised—but the attitude of the Republican Caucus is that we believe in a sharing of wealth.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 696, on third reading, entitled:

An Act directing the county commissioners of each county to prepare certify and deliver to the Department of Internal Affairs at slated intervals a certified list of all real estate conveyances or transfers within such county together with the consideration for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Internal Affairs for such lists and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 697, on third reading, entitled:

An Act requiring the consideration purchase price or other value of the interest conveyed to be set forth in all conveyances or other transfers of real estate or interests therein prohibiting the recorder of deeds from accepting for record instruments not setting forth such consideration and requiring the recorder of deeds to deliver a list of such transfers and the consideration therefor to the county commissioners

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 700, on third reading, entitled:

An Act to encourage the protection and development of forest resources in the Commonwealth in the interest of the owner and general public providing for the creation of various local advisory committees by the Department of Forests and Waters and the establishment of minimum standards of forest practice to have the force of law placing duties upon certain governmental officials and agencies and imposing penalties

be recommitted to the Committee on Forests and Waters, Game and Fish, for further study.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on third reading, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five

He also, from the Committee on Appropriations, reported as committed, House Bill No. 496, entitled:

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

Mr. CRIDER. Mr. President, I ask unanimous sonsent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRIDER from the Committee on County Government, reported as committed, House Bill No. 580, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further extending the powers and duties of county commissioners or boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year or years

He also, from the Committee on County Government, reported House Bill No. 280, entitled:

An Act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER from the Committee on Judiciary General reported as committed, House Bill No. 734, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

CALENDAR

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 735, on third reading, entitled:

An Act defining and providing for the licensing and regulation of certain schools and classes conferring powers and imposing duties upon the Department of Public Instruction and the State Council of Education and prescribing penalties

be recommitted to the Committee on Education.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767, as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing Route 52043 in Potter County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Route 52043 as established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by the act approved the twelfth day of June one thousand nine hundred thirty-five (P. L. 806) is hereby amended to read as follows

Route 52043 Beginning at a point on [Route 52024 at Kinney Corners] Application 5379 at Genesee and extending in a general northeasterly direction through Genesee Township to the Pennsylvania-New York State line in Potter County a distance of about [0.6] 0.4 of a mile

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 768, on third reading, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township

county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affscted by provisions of this act" by changing certain routes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 772, on third reading, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employes

be recommitted to the Committee on Insurance.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 774, on third reading, entitled:

An Act to add section one thousand three hundred nine to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" requiring reimbursement of counties and of cities of the first class by the Commonwealth for expensse of voting by official military ballots

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 785, on third reading, entitled:

An Act to amend clause (h) of section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by fixing the maximum gross weight of truck tractors in combination with semi-trailers having two axles

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 786, on third reading, entitled:

An Act authorizing departments boards commissions and agencies of the State government to make contracts for radio communication service and providing for the payment of service charges therefor

be recommitted to the Committee on State Government.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING, AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 839, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JONES. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. WOODRING. I have no objection to non-controversial amendments being offered and I also have some non-controversial amendments and I ask unanimous consent to offer the same.

The PRESIDENT. Is there objection?

(The Senate was at ease.)

BILLS OVER IN ORDER

Mr. JONES. Mr. President, I ask unanimous consent

that House Bill No. 839, and the amendments offered thereto, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 845, on third reading, entitled:

An Act to amend section thirteen of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" by further regulating the eligibility lists in cities of the second class "A"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 877, entitled:

An Act to further amend sections sixteen and seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales eliminating the right of redemption after such sales and further providing for the reimbursement to the county for moneys spent on such property in certain cases

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TROUTMAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page 1, last line of title on said page, and first line of title on page 2, by striking out the words "eliminating the right of redemption after such sales"; Amend Sec. 2, (Sec. 17), page 8, lines 13 and 18, by striking out the light face brackets before the word "Provided" in line 13, and after the word "sale" in line 18.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 1139, on third reading, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the state to execute on behalf of this state a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylavnia and their terms of office and providing an appropriation

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1258, as follows:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for the guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" is hereby amended to read as follows

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father and mother [grandparent and grandchild] of every indigent person shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

(b) The courts shall have power to hear determine and make orders and decrees in such cases upon the petition of such indigent person or of any other person or any public body or public agency having any interest

in the care maintenance or assistance of such indigent person

(c) In all cases where an order has been made by the court for the care and maintenance or assistance of a husband wife father mother or child [grandfather grandmother or grandchild] whether or not confined in any public institution and the said order has not been complied with the court or any judge thereof upon affidavit or petition filed setting forth that the person on whom the said order has been made has not complied with the said order shall issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to comply with said order be brought before the court at such time as the court may direct If it shall appear to the court after hearing that the person on whom the said order was made has wilfully neglected or refused to comply with said order the court may adjudge said person in contempt of court and in its discretion may commit said person to the county jail for a period not exceeding six months

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Geltz,	Letzler,	Stevenson.
Becker,	Gourley,	Mallery,	Tallman,
Berger,	Haluska,	Margie,	Taylor,
Carr,	Heyburn,	McCreesh,	Thomas,
Coleman,	Holland,	McGinnis,	Troutman,
Cox.	Jaspan.	Rosenfeld,	Wade,
Crider,	Kephart,	Ruth,	Wagner,
Crowe,	Klein,	Scarlett,	Walker,
Dent.	Leader,	Snowden,	Woodring,
DiSilvestro			

NAYS—10

Blass,	Farrell,	Stiefel,	Wilson,
Chapman,	James,	Tyler,	Woodward,
Ealy,	Jones,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 1278, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

go over in its order temporarily.. We are preparing some amendments we hope to offer.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 548 CALLED UP

Mr. STEVENSON. Mr. President, I call up for action at this time, on page 7 of today's Calendar, Senate Bill No. 548.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person association partnership or corporation may give as security for any funds borrowed or to be borrowed or any pre-existing indebtednes a bond or note with or without a confession of judgment clause secured by a chattel mortgage upon any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops including annual or perennial crops and other plant products either grown or growing at the time of the execution of such chattel mortgage or to be planted or grown within one year thereafter For the purposes of this act all such chattels and crops shall be deemed to be personal property and mortgageable as such The indebtedness secured by any such chattel mortgage shall not bear interest in excess of the rate which the creditor is permitted by law to charge at the time of the execution of such mortgage

Section 2 Any mortgage executed under and pursuant to this act shall be in writing and signed witnessed and duly acknowledged by the mortgagor or his agent duly authorized and constituted The property covered or to become covered by any such chattel mortgage may be described as all that property of a specified class so identified by reference to location brands marks numbers or otherwise as to distinguish it from other property of the same class or such property may be described in any other manner permitted or authorized by law

Section 3 Any mortgage executed under and pursuant to this act may validly include any chatel or chattels of any kind or description including but not limited to livestock poultry farm machinery or farm equipment of the same class as that described in the mortgage acquired by the mortgagor subsequent to the execution of the chattel mortgage and prior to its extinguishment and any such mortgage also may validly include replacements of any of the mortgaged property therein described and all increase issue progeny and produce of animals and livestock of all kinds and the issue increase progeny and produce of any and all property mortgageable under the terms and provisions of this act including the increase issue progeny and produce of any original increase issue or progeny A mortgage of sheep or goats shall be held to include the wool or mohair which may be clipped therefrom

Section 4 Any chattel mortgage executed under and pursuant to this act may secure a pre-existing debt advances currently made or contracted for and future advances whether obligatory or optional to be made by the mortgagee within a period of five (5) years from the date of the execution of such mortgage but not to exceed in the aggregate an amount stated in the mortgage Such a chattel mortgage may also secure advances and expenditures of the mortgagee for taxes levies insurance and repairs to or maintenance of the property described in the chattel mortgage together with interest on such advances and expenditures at the rate fixed therefor by the terms of the bond note or chattel mortgage securing same or if no rate therefor is specified at the rate provided

in the mortgage for the principal indebtedness secured thereby All future advances made within the terms of such chattel mortgage shall be secured to the same extent and shall have the same priority as if made at the time of the execution of the mortgage

Section 5 Any chattel mortgage executed pursuant to this act shall be a lien upon the property therein described which lien shall be good and valid against and superior to all rights of subsequent purchasers subsequent mortgages and othe rsubsequent lienors and encumbrancers and all persons subsequently dealing with the mortgaged property or subsequently acquiring an interest therein from the time of filing of the mortgage as provided in section eight of this act provided however that the filing as provided in section eight of this act of a chattel mortgage against any motor vehicle trailer or semi-trailer with respect to which a Certificate of Title is issuable under the Motor Vehicle Code (Act of May 1 1929 Pamphlet Laws 905 as amended) shall not operate as notice of the lien thereof to the Commonwealth creditors and purchasers unless and until a statement of such lien is noted on the Certificate of Title issued with respect to such motor vehicle trailer or semi-trailer pursuant to the provisions of said Motor Vehicle Code The lien of any chattel mortgage on any chattel or chattels attached to realty including crops executed pursuant to this act shall be superior to any mortgager deeds of trust or judgments or other liens upon the realty or land upon which any such crop has been or is to be seeded or may be growing and any sale made under any mortgage deed of trust or judgment on such realty or land or otherwise before said chattels or crops have been severed shall be made subject to the lien on the chattels and crops as provided for in this act and provided further That any real estate mortgage covering the realty and chattels attached to realty shall remain a prior lien to a chattel mortgage placed subsequently thereon and a judicial sale on liens subsequent to the lien of a chattel mortgage shall not divest the lien of such chattel mortgage and the title of the purchaser at such judicial sale shall be subject to the lien of such chattel mortgage

Section 6 (a) Any of the property covered by a chattel mortgage executed pursuant to this act which may be removed without the written consent of the mortgagee from the county in which it was located at the time of the execution of the mortgage or from the county in which the mortgage is filed shall remain subject to the lien of the mortgage

(b) Any of such property which may be removed with the written consent of the mortgagee from the county in which it was located at the time of execution of the mortgage or from the county in which the mortgage is filed shall remain subject to the lien of the mortgage Provided however That the lien of any such mortgage shall remain valid as against subsequent purchasers subsequent mortgages and other subsequent lienors and subsequent encumbrances without actual notice of the chattel mortgage for a period of only six (6) months from the date of removal unless within such period a true copy of the mortgage is filed in the office of the prothonotary in the county to which the property is removed

(c) Any property covered by a chattel mortgage which may be sold by the mortgagor shall remain subject to the lien of the mortgage unless the mortgagee expressly consents in writing to such sale free and acquit of the mortgage lien and the consent of the mortgagee to the sale of a part of the property shall not invalidate or impair the lien of the mortgage as to other property covered by the mortgage

(d) If the mortgagor with or without the written consent of the mortgagee shall make sale of the mortgaged property or any part thereof the proceeds realized through such sale shall be subject to the lien of said mortgage and the mortgagee at his option may enforce said lien against said chattels or against said proceeds Provided however That said mortgagee shall receive only one full satisfaction of the debt secured by said mortgage And provided further That the mortgagee in consenting in writing to sale of the mortgaged property or a part thereof may authorize and permit the mortgagor to sell such mortgaged chattels free and acquit of the mortgage lien upon condition that the proceeds of sale be paid to the mortgagee and if consent to sale is given on such terms and conditions any purchaser or grantee of said mortgaged chattels shall acquire title to said chatels free and acquit of said lien but the lien shall remain attached to the proceeds realized through sale until payment thereof to the mortgagee

(e) Any chattel mortgage conveying livestock or poultry and hay grain or other foodstuffs or crops shall not be invalid in any particular because provision is contained therein or the mortgagee agrees that the mortgagor may use and consume any such hay grain food forage fodder or crops in preserving or preparing for market the livestock or poultry covered by the mortgage

Section 7 If the mortgagor without the consent of the mortgagee shall remove the chatel or chatels from the county or counties stipulated in the chatel mortgage or shall substantialy injure the chatel or chattels subject to the mortgage or conceal or purport to sell or otherwise dispose of them or any substantial part of them under claim of full ownership or otherwise by his wilful act or neglect substantially impair the value of the agreed security save in so far as is consistent with a reasonable use of the chatel or chatels such action shall constitute a default under the chattel mortgage Provided however That unless otherwise stipulated in the instrument the injury or destruction of the chattel or chattels without fault of the mortgagor shall not constitute a default and such injury or destruction incurred before final sale or foreclosure shall not discharge the mortgagor for any obligation secured for which he is personally liable

Section 8 (a) Any chatel mortgage executed pursuant to this act may be filed in the office of the prothonotary for each county in which the chattels or any portion of the chattels are located at the time of filing such chattel mortgage either by filing the original thereof or filing a true copy thereof duly certified by the prothonotary of the original county and when so filed such chattel mortgage shall constitute a lien on the property described therein and conveyed thereby from the time of such filing which lien shall be good and valid as hereinbefore provided Provided however That in the case of more than one chattel mortgage the first filed shall have priority and be first paid out of the proceeds of the sale of the mortgaged chattels The prothonotary shall maintain a book to be known as the "Chattel Mortgage Book" in which he shall docket each instrument presented to him for filing pursuant to this act and in said docket he shall set forth the date and the hour of filing the name of the mortgagor the name of the mortgagee the amount advanced or to be advanced and the limit thereof and a brief description of the chatels described in the instrument and the premises upon which such chatels and crops are located and he shall retain the instrument in his office for future public inspection The prothonotary shall likewise maintain a book to be known as a "Chattel Mortgage Index" in which he shall index alphabetically under the names of the mortgagor or mortgagors and the mortgagee or mortgagees all chattel mortgages filed pursuant to this act and on which the date of filing such instrument shall be noted

(b) Any instrument affecting the lien of a chattel mortgage or its ownership may be filed in each office in which the chattel mortgage is filed and from the date of filing thereof each such instrument shall be good and valid as against subsequent purchasers subsequent mortgagees or other subsequent lienors and subsequent encumbrances with or without notice thereof and the fact and date of filing of each such instrument shall be noted by the prothonotary on the margin of the page on which the chattel mortgage is docketed

Section 9 The prothonotary shall be entitled to charge and receive for services rendered hereunder the following fees

(a) For filing indexing and docketing each chattel

mortgage seventy-five cents (75c)

(b) For filing indexing and noting each asignment seventy-five cents (75c)

(c) For filing and noting each partial release satisfaction extension or subordination by written instrument twenty-five cents (25c)

(d) For attesting the entry of a marginal satisfaction and noting the satisfaction on the index twenty-five cents (25c)

(e) For indexing and attesting the entry of a marginal assignment fifty cents (50c)

(f) For a certified copy of a chattel mortgage filed hereunder the sum of twenty-five cents (25c) if a copy of the instrument is furnished at the time the same is filed

Section 10 When chattels are brought into this State subject to a chattel mortgage or other chattel lien filed or recorded in another State such chattel mortgage or other chattel lien instrument or a copy thereof certified by the officer in whose office it was filed or recorded may be filed as chattel mortgages provided for herein are filed and when so filed any such instrument shall be indexed and docketed upon an affidavit of the mortgagee setting forth a brief description of the lands and premises upon which said chatels are located in this State and upon such filing such chatel lien instrument shall have the same force and effect and be subject to all the terms and conditions of this act to the same extent and in the same manner as though executed and filed in this State pursuant to this act

Section 11 Any chattel mortgage ececuted under and pursuant to this act may be assigned by an instrument in writing signed by the mortgagee or asignee and setting forth the amount of the debt as of the assignment and upon presentation of such assignment to the prothonotary the prothonotary shall file the same and note on the margin of the page in which the chattel mortgage is docketed the fact of the assignment the date of the notation the name of the assignor the name of the assignee the address of each the date of the assignment and the amount of the debt as of the date of assignment and such assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Provided however Any such chattel mortgage may be assigned by an assignment stating the amount of the debt as of the date of the assignment and executed by the mortgagee or assignee on the margin of the page where such chattel mortgage is docketed which assignment shall be attested by the prothonotary

Section 12 Any such chattel mortgage may be satisfied by an instrument in writing signed by the mortgagee or assignee and upon presentation of such instrument to the prothonotary the prothonotary shall file the same and note the fact of such satisfaction and the date thereof on the margin of the page of the book where the chattel mortgage is docketed and when so noted such satisfaction shall fully and effectually release the lien of such mortgage Provided however That any such chatel mortgage may be satisfied by the mortgagee or asignee on the margin of the page where such chatel mortgage is docketed which satisfaction shall be attested by the prothonotary Each satisfaction of a chattel mortgage lien shall be noted by the prothonotary on the line of the page on which the chattel mortgage is indexed

Section 13 Such chattel mortgages shall except between the parties thereto take effect and be valid only from the time of filing as herein provided Such mortgage shall remain a lien on the property mortgaged as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five (5) years unless the lien thereof is extended by filing prior to the expiration of the said lien with the prothonotary an affidavit of the mortgagee or his assignee stating the amount then secured by the lien in which case the said mortgage shall remain a lien for an additional period of five (5) years from the date of the filing of such affidavit The lien of any mortgage may be further extended with like effect by the filing of successive like affidavits The prothonotary shall note each extension of a chattel mortgage lien and date of filing the same on the margin of the page of the book where the chattel mortgage is docketed The prothonotary shall likewise index each such extension in the "Chattel Mortgage Index" in the same manner as is herein provided for the indexing of chattel mortgages originally filed

Section 14 (a) Upon default in any of the terms and covenants of any chattel mortgage or bond executed in accordance with the provisions of this act the mortgagee assignee of duly authorized attorney or agent of such mortgagee or assignee shall have the right either by process of law by writ of replevin or otherwise or without process of law immediately to take possession of the mortgaged property and to do all things necesary to preserve the same and any expense incurred in conjunction therewith shall be included in and secured by the lien of said chattel mortgage and this right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or assignee

(b) In the event of the repossession of the mortgaged chattel or chattels in accordance with the provisions of this section the mortgagee may sell the said chattel or chattels at public or private sale after giving a written notice of at least ten (10) days thereof to the mortgagor by mailing same to him at his last known address Any surplus realized in excess of debt and costs shall be paid over to the mortgagor and any deficit may be collected from the mortgagor under the provisions of section fifteen hereof

(c)The mortgagor or his assignee at any time prior to the sale of the mortgaged property shall have the right to redeem and to repossess the mortgaged property either by process of law by writ of replevin or otherwise or without process of law upon making payment to the mortgagee or his assignee of the indebtednes secured by such chattel mortgage together with interest thereon and other charges and amounts payable under the terms of the chattel mortgage or the bond or note secured by the same

Section 15 Upon default by the mortgagor in the payment of the mortgage debt either as to principal or interest or upon default in the performance of any covenant contained in the chattel mortgage or bond or note the chattel mortgage may be foreclosed by any of the methods authorized by law for the foreclosure of a mortgage including the entry of judgment on the bond or note secured by the chattel mortgage The lien of any levy which may be made upon the mortgaged property by virtue of any execution based upon a judgment entered upon such bond or note shall relate back to the date of the filing of the chattel mortgage In such foreclosure proceedings the mortgaged chattels may be sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 16 Any person who without the written consent of the mortgagee or his assignee shall wilfully sell any property mortgaged by him or his predecessor in title in conformity with the provision of this act either before or after the debt is due and before the debt is paid or shall wilfully injure destroy conceal or without notice to the mortgagee abandon or shall wilfully deface any marks identifying any such mortgaged property shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment not exceeding one year or to pay a fine of double the value of the personal property so sold injured destroyed defaced concealed or abandoned or either or both at the discretion of the court

Section 17 This act shall not be construed to adversely affect or impair the lien of or rights under any existing chattel mortgage nor shall this act be construed to repeal or affect any act relating to chattel mortgages not herein expressly repealed

Section 18 The act approved the twenty-first day of May one thousand nine hundred forty-three (Pamphlet Laws 343) entitled "An act relating to chattel mortgages

on livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" is hereby repealed

Section 18 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	DiSilvestro,	Letzler,	Tallman,
Becker,	Geltz,	Mallery,	Taylor,
Berger,	Gourley,	Margie,	Thomas,
Bowers,	Haluska,	McCreesh,	Troutman,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Jaspan,	Rosenfeld,	Wagner,
Cox,	Jones,	Ruth,	Walker,
Crowe,	Klein,	Stevenson,	Woodring,
Dent,	Leader,	Stiefel,	

NAYS—13

Blass,	Farrell,	James,	Snowden,
Carr,	Heyburn,	Kephart,	Wilson,
Crider,	Homsher,	Scarlett,	Woodward,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Corporations, reported as committed, House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two theerof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 53, PRINTER'S No. 133

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 53, Printer's No. 133, entitled "An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto."

EDWARD MARTIN.

HOUSE BILL No. 839 CALLED UP

Mr. JONES. Mr. President, I call up for consideration at this time House Bill No. 839, appearing on page 13 of the Calendar.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 839, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JONES. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 3, page 4, line 28, by striking out after the word, "days", and before the letter "a", the following: "during the month of January"; amend pages 21 and 22 by striking out the whole of Section 10; amend Section 11, page 22, line 8, by striking out after the word, "Section, the numeral, 11", and inserting in lieu thereof, "10".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 8, Clause 53, Page 16, line 11 by striking out "($500)."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 10:30 o'clock p. m., Eastern War Time.

Mr. TROUTMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee a this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Thaddeus Stevens Industrial School:

Theodore Schwalm, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified. (Reappointment)

Louis B. Bond, Christiana, Lancaster County, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment)

Claude W. Breneman, Elizabethtown, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Calvin M. Kendig, Mountville, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Mrs. Elizabeth D. Stine, 580 School Lane, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until her successor shall have been appointed and qualified. (Reappointment)

Chester M. Woolworth, 1 Jackson Drive, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

B. W. Luttenberger, 123 Race Avenue, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Oliver S. Schaeffer, Lancaster, whose term expired.

S. E. Dyke, Millersville Pike, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949 and until his successor shall have been appointed and qualified, vice Clifford C. Aument, Quarryville, whose term expired

EDWARD MARTIN.

MEMBER OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. D. Miller (Republican), Biglerville, Adams County, for appointment as a Member of the Adams County Board of Assistance, to serve until December 31, 1945, and until his successor is duly appointed and qualified, to fill a vacancy

EDWARD MARTIN.

JUSTICE OF THE PEACE, BOROUGH OF SCALP LEVEL, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew W. King, 637 Main Street, Scalp Level, Cambria County for appointment as Justice of the Peace in and for the Borough of Scalp Level, Cambria County, until the first Monday in January, 1946, vice Jacob D. Heider, deceased.

EDWARD MARTIN.

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John M. Rice, 950 Century Building, Pittsburgh, Allegheny County, for appointment as a Member of the State Registration Board for Professional Engineers, for the term of six years, and until his successor is appointed and qualified, vice George S. Richardson, Pittsburgh, resigned.

EDWARD MARTIN.

MEMBERS OF THE PENNSYLVANIA POST-WAR PLANNING COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons, as members of the Pennsylvania Post War Planning Commission:

Charles R. Barber, Erie, from June 13, 1944, until annulled.

(Mrs.) Hanna M. Durham, Allentown, from June 13, 1944, until annulled.

S. W. Fletcher, State College, from June 13, 1944, until annulled.

Edward Hopkinson, Jr., Philadelphia, from June 13, 1944, until annulled.

Thomas Kennedy, Hazleton, from June 13, 1944, until annulled.

Weir C. Ketler, Grove City, from June 13, 1944, until annulled.

Richard K. Mellon, Ligonier, from June 13, 1944 until annulled.

Henning W. Prentis, Jr., Lancaster, from June 13, 1944, until annulled.

H. Melvin Vivian, Wilkes-Barre, from June 13, 1944, until annulled.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF THE WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul S. Christman, Schuylkill Haven, Schuylkill County, for appointment as a Member of the Board of Trustees of Wernersville State Hospital, for the term of four years, and until his successor is qualified, vice John K. Berk, Frackville, deceased.

EDWARD MARTIN.

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT, COUNTY OF FAYETTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Berry, 301 Catherine Avenue, Brownsville, Fayette County, for appointment as Register of Wills and ex-officio Clerk of the Orphans' Court in and for the County of Fayette, to serve until the first Monday of January, 1946, vice Bruce F. Sterling, deceased.

EDWARD MARTIN.

RECESS

Mr. DENT. Mr. President, I move that the Senate do now take a recess for ten minutes in order to allow the Democrats to caucus on House Bill No. 568.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

SENATE BILL No. 768 CALLED UP

Mr. HEYBURN. Mr. President, on page 11 of the Calendar, I call up for consideration Senate Bill No. 768 which was put over in its order this afternoon.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 768, as follows:

An Act to further amend section six of the act approved the thirty-first day of May one tohusand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement theerof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the

State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highways Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby further amended by changing the descriptions of Routes 161 247 and 253 to read as follows

Route 161 From Pottsville to Sunbury

Commencing in Pottsville and running by way of Frackville Gilberton and Girardville [and] to a point near Centre and Twenty-first Street in Ashland thence to a point on the dividing line between Schuylkill and Columbia Counties thence by way of Centralia to a point on the dividing line between Columbia and Northumberland Counties thence by way of Mount Carmel Shamokin Paxinos and Stonington by way of Old Centre Pike into Sunbury Northumberland County

Route 247 From Pittsburgh to Uniontown

Commencing at a point on the boundary line of the city of Pittsburgh and running by way of Castle Shannon and Library to a point on the dividing line between Allegheny and Washington counties thence by way of Finleyville [and] to Monongahela City at West Main street thence from Monongahela City to Charleroi thence over route one hundred and eighteen to Belle Vernon thence by way of Fayette City Star junction and Vanderbilt to Connellsville thence over route one hundred and seventeen into Uniontown Fayette County and by spur from Monongahela along the river through Donora thence westward to connect with the main route two hundred forty-seven

Route 253 From [Tionesta] Kellettville to Smethport Commening [in Tionesta and running over routes ninety-two and ninety-eight to Nebraska thence by way of] near Kellettville thence by way of Mayburg and Lynch to a point on the dividing line between Forest and Warren counties thence by way of Barnes to Sheffield thence over route ninety-five into Smethport McKe County

And said bill having been read at length the third tim and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the prov sions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" t question was determined in the affirmative.

Ordered, That the Clerk present said bill to the Hou of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committ of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and co sideration of House Bill No. 24, entitled:

An Act to amend subsection (a) of section two article two of the act approved the twenty-fifth day June one thousand nine hundred nineteen (P. L. 58 entitled "An act for the better government of cities of t first class of this Commonwealth" by making the mayor any such city eligible to such office for one successive ter

And said bill having been read at length the seco time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committ of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and co sideration of House Bill No. 63, entitled:

An Act to further amend the act approved the third d of June one thousand nine hundred thirty-seven (P. 1333) entitled "An act concerning elections including ge eral municipal special and primary elections the nomin tion of candidates primary and election expenses and ele tion contests creating and defining membership of cour boards of elections imposing duties upon the Secretary the Commonwealth courts county boards of electio county commissioners imposing penalties for violation the act and codifying revising and consolidating the la relating thereto and repealing certain acts and parts acts relating to elections" by eliminating the necessity proclaiming the names of persons elected to certain offi

And said bill having been read at length the seco time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 66, entitled:

An Act making an appropriation to the Department of 'orests and Waters for improvement and development of ne Ports of Philadelphia Chester Pittsburgh and Erie

And said bill having been read at length the second ime and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 67, entitled:

An Act making an appropriation to the Department of lealth for the acquisition of land by purchase or condemation the construction and equipment of a State Health aboratory the construction of buildings the improvement rnishing and repairs of the State Sanatoria and the rippled Children's Hospital for the payment by the Comonwealth of a share of the cost of preparing plans and rveys for sewage or industrial waste treatment plants nd for the payment by the Commonwealth of a share of ie cost of constructing such industrial waste plants for ealing abandoned coal mines for stream clearance includg the purchase or condemnation of lands easements or ight of ways and the acquisition or construction of pipes onduits or tunnels and pumps and pumping equipment nd for experimental and research work relating to the ollution of streams and the prevention thereof.

And said bill having been read at length the second me and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 68, entitled:

An Act making an appropriation to the Department of orests and Waters for the acquisition by purchase or ondemnation of forest land and the development and use ereof for reforestation for the work of the department ith respect to forests and forest land and for the acquisiion by purchase condemnation or gift of lands buildings r other properties for State Parks and for the develop ient thereof and for stream channel improvement and ther stream clearance of any type for flood control and r encouragement of proper forest practices by private nd owner for payment by the Commonwealth of a share f the cost of preparing plans and estimates for the conruction of plants for the treatment of industrial waste nd for the payment by the Commonwealth of a share of ie cost of constructing such plants for conducting experients and research to determine approved methods for ntrolling stream pollution and treating acid mine drainge and industrial waste and for the purchase or condemation of lands easements or right of ways and the acuisition or construction of pipes conduits drains or tunnels nd pumps and pumping equipment

And said bill having been read at length the second me and agreed to,
Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 79, on second reading, entitled:

An Act to facilitate vehicular traffic between the eastern section of the Commonwealth and the ports on Lake Erie by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County to a point at or near the City of Erie and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnipke providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separation grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

be recommitted to the Committee on Highways for the purpose of further study.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McGINNIS. Mr. President, I desire to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. McGINNIS. For what purpose is House Bill 79 being referred back to the Committee on Highways.

Mr. HEYBURN. It is being referred back to Committee for further study, Mr. President.

Mr. McGINNIS. This is a very simple proposition, Mr. President, and I do not see why it would require any more study.

Mr. HEYBURN. I believe there is some doubt about the bill in the minds of some of the Senators.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 94, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 123, entitled:

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further fixing the fee for filing nomination petitions for the office of county auditor in counties of the eighth class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 138, entitled:

An Act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 139, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers the Pennsylvania Soldiers' Orphan School the Thaddeus Stevens Industrial School the Pennsylvania Oral School for the Deaf at Scranton the Pennsylvania State College historical monuments markers or properties in the custody of the Pennsylvania Historical Commission for purchase or condemnation of land for construction of new buildings for repair and alteration to and replacement of existing buildings and for the architectural and engineering services for fixtures equipment sewage treatment plants water supply and electrical and other utility facilities

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 148, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 156, entitled:

An Act making an appropriation to the Depatrment of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other utility facilities

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 138 CALLED UP

Mr. COX. Mr. President, I call up for reconsideration at this time House Bill No. 138, from page 18 of the calendar.

RECONSIDERATION OF HOUSE BILL No. 138

Mr. COX. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 138 passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye".

Mr. WOODRING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted "aye".

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 138, entitled:

An Act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation

The first, second, third, fourth, fifth, sixth and seventh sections were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. COX offered the following amendment:

Amend Sec. 8, page 4, lines 18 to 21, both inclusive, by striking out the words "In no case" in line 18, all of lines 19 and 20, and the words "the damages" in line 21.

It was agreed to.

The section was agreed to as amended.

The ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 163, entitled:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and admiistrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" provided for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 170, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 231, on second reading, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth class

be recommitted to the Committee on County Government.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 255, on second reading, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof.

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 273, on second reading, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 276, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealtth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 288, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone and the farm where he was born and to provide for the control management supervision improvement preservation and maintenance thereof and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. PRESIDENT, I ask unanimous consent that House Bill No. 293, on second reading, entitled:

An Act providing for the appointment and expenses of a commission of nine persons to study revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of building a protective wall along the bank of the Ohio River roof repairs steel beam supports and renewal of piping in power plant and one new generator all at the Dixmont Hospital Dixmont Allegheny County Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 328, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital Dixmont Allegheny County Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 332, on second reading, entitled:

An Act to reenact and further amend the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 301) entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" extending the same to, counties of the fifth sixth seventh and eighth class

be recommitted to the Committee on County Government.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for the violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 1, page 4, lines 14 and 15, by striking out the words "office judge or inspector of election justice of the peace or constable in", and inserting in lieu thereof: "officer of"

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 340, on second reading, entitled:

An Act to reenact and amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 646) entitled "An act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class" extending the same to counties of the fifth sixth seventh and eighth class

be recommitted to the Committee on County Government.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 376, entitled:

An Act to further amend section six (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 322) entitled "An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain part-

nerships" as last amended by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General and the Attorney General to compromise and settle claims for bonus interest and penalties thereon in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" by redefining the scope of membership and territory

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 411, on second reading, entitled:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act to amend sections one and two and to further amend section three of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344-No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and testify against each other in certain cases" authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried and to become surety on any bond bail or recognizance.

The first, second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment:

Amend title by striking out the words, and to "be-", on line 11 and all of line 12 of said title.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 497, on second reading, entitled:

An Act fixing the fees of the recorder of deeds in counties of the fourth class

be recommitted to the Committee on County Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 509, entitled

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provision by which it shall be administered, and prescribing penalties for the violation thereof: providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making husbands or wives liable for payment of per capita taxes levied against their wives or husbands and authorizing collection thereof from such husbands and wives

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend Sec. 1 (Sec. 542), page 2, lines 23 and 24, by striking out the words "or every wife against whose husband a per capita tax is levied"; Amend Sec. 1 (Sec. 542), page 2, lines 25 and 26, by striking out the words "or wife as the case may be"; Amend Sec. 1 (Sec. 542), page 3, line 1, by striking out the words "or wife"; Amend Sec. 1 (Sec. 542), page 3, line 2, by striking out the words "or wife's".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MALLERY offered the following amendments:

Amend title, page 1, fourth from last line of title, by striking out the words "or wives"; Amend title, page 1, third from last line of title, by striking out the words "or husbands"; Amend title, page 1, last two lines of title, by striking out the words "and wives".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 568, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts and repealing certain provisions of said act and of other laws relating thereto

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments which were read for the information of the Senate:

Amend Sec. 1, (Sec. 1209.1), page 8, lines 13 and 14, by striking out the words "one hundred twenty dollars ($120), minimum number of increments ten (10)", and inserting in lieu thereof: one hundred dollars ($100), minimum number of increments thirteen (13); Amend Sec. 1, (Sec. 1209.1), page 9, line 8, by striking out the word and figure "eight (8)", and inserting in lieu thereof: nine (9); Amend Sec. 1, (Sec. 1209.1), page 9, lines 11 and 12, by striking out the word and figure "eight (8)", and inserting in lieu thereof: nine (9); Amend Sec. 1, (Sec. 1209.1), page 9, line 25, by striking out the word and figure "six (6)", and inserting in lieu thereof: seven (7); Amend Sec. 1, (Sec. 1209.1), page 10, line 8, by inserting after the figure "(4)": principals having twenty-five (25) or more teachers under their supervision and who devote one-half or more of their time to supervision and administration, minimum annual salary two thousand four hundred dollars ($2,400), minimum annual increment one hundred dollars ($100), minimum number of increments four (4); Amend Sec. 1, (Sec. 1209.1), page 10, line 9, by striking out the word "twenty-fixe", and inserting in lieu thereof: twenty-five; Amend Sec. 1, (Sec. 1209.1), page 10, line 25, by inserting after the word "employes": and temporary professional employes; Amend Sec. 1, (Sec. 1209.1), page 11, line 5, by striking out the word "increment", and inserting in lieu thereof: increments; Amend Sec. 1, (Sec. 1209.1), page 11, line 26, by inserting after the word "schools": and evening vocational classes; Amend Sec. 1, (Sec. 1209.1), page 12, by inserting between lines 2 and 3: 9. Teachers who are required, because of additional work, to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation, to be determined by the board of public education or the board of school directors. Teachers who may be employed in giving instruction for only part of a day shall render such other service, for such period of time per day, as the board of public education or the board of school directors may direct, but if such service cannot be assigned to such teacher by the board of public education or the board of school directors, the salary paid to such teacher shall be proportioned to the number of hours of service rendered; Amend Sec. 1, (Sec. 1209.1), page 12, line 3, by striking out the figure "9", and inserting in lieu thereof: 10; Amend Sec. 1, (Sec. 1209.1), page 12, line 14, by striking out the figure "10", and inserting in lieu thereof: 11; Amend Sec. 1, (Sec. 1209.1), page 12, line 17, by striking out the figure "11", and inserting in lieu thereof: 12; Amend Sec. 1, (Sec. 1209.1), page 12, line 21, by striking out the figure "12", and inserting in lieu thereof: 13; Amend Sec. 1, (Sec. 1209.1), page 12, line 28, by striking out the figure "13", and inserting in lieu thereof: 14; Amend Sec. 1, (Sec. 1209.1), page 13, line 14, by striking out the figure "14", and inserting in lieu thereof: 15; Amend Sec. 2, (Sec. 1241), page 18, line 24, by striking out the word and figure "twenty-five (25)", and inserting in lieu thereof: twenty-two (22); Amend Sec. 2, (Sec. 1241), page 19, line 23, by inserting after the figures "1945-1946": and the school year 1946-1947; Amend Sec. 2, (Sec. 1241), page 19, line 28, by striking out the figures "1946-1947", and inserting in lieu thereof: 1947-1948; Amend Sec. 2, (Sec. 1241), page 20, line 19, by inserting after the figures "1945-1946": and the school year 1946-1947; Amend Sec. 2, (Sec. 1241), page 20, lines 22 and 23, by striking out the words "the maximum millage permitted by law for tax levies by the vocational school district," and inserting in lieu thereof: three-one thousandths (.003); Amend Sec. 2, (Sec. 1241), page 20, line 28 to page 21, line 2, inclusive, by striking out the words "the maximum millage permitted by law for tax levies by the vocational school district," and inserting in lieu thereof: three-one thousandths (.003); Amend Sec. 2, (Sec. 1241), page 21, line 7, by striking out the word and figure "twenty-five (25)", and inserting in lieu thereof: twenty-two (22); Amend Sec. 2, (Sec. 1241), page 21, lines 14 and 15, by striking out the words "number of teaching units", and inserting in lieu thereof: sum obtained under (1) and (2) above; Amend Sec. 2, (Sec. 1242), page 22, line 6, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership; Amend Sec. 2, (Sec. 1242), page 22, line 9, by striking out the word "enrolled", and inserting

in lieu thereof: in average daily membership; Amend Sec. 2, (Sec. 1242), page 22, line 16, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership; Amend Sec. 2, (Sec. 1242), page 22, line 19, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership; Amend Sec. 2, (Sec. 1244), page 23, line 20, by inserting after the word "the": sum of "overhead cost per high school pupil" and; Amend Sec. 2, (Sec. 1244), page 24, line 4, by inserting after the word "school": multiplied by the number of pupils; Amend Sec. 2, (Sec. 1245), page 24, lines 8 and 9, by striking out the words and figures "thirty dollars ($30) per district", and inserting in lieu thereof: thirty-five dollars ($35) in vocational agriculture and vocational industrial education, twenty dollars ($20) in vocational home economics education, and fifty dollars ($50) in vocational distributive education per; Amend Sec. 2, (Sec. 1245), page 24, line 10, by striking out the word "curriculum", and inserting in lieu thereof: curriculums; Amend Sec. 2, page 24, by inserting between lines 11 and 12: Section 1246. Every school district and every vocational school district, regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved traveling expenses in the discharge of teaching and supervisory responsibilities of teachers, coordinators, supervisors and directors in vocational education, eighty per centum (80%) of the sum expended by the school district for such approved travel. Section 1247. Every school district and every vocational school district regardles of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved vocational extension classes at the rate of two dollars ($2) per hour of instruction approved by the Superintendent of Public Instruction. Section 1248. In the event that the Congress of the United States provides additional funds for vocational education, the State Board of Vocational Education shall have authority to establish rules and regulations governing the administration and distribution of such funds. Amend Sec. 2, (Sec. 1246), page 24, line 12, by striking out the figure "1246", and inserting in lieu thereof: 1249; Amend Sec. 2, (Sec. 1246), page 24, line 15, by striking out the word "district". Amend Sec. 2, (Sec. 1246), page 24, lines 16 and 17, by striking out the words "physically or"; Amend Sec. 2 Section 1246), page 24, line 17, by inserting after the word "children": and the sum of thirty dollars ($30) per pupil in average daily membership in a course or courses for physically handicapped children; Amend Sec. 2, (Sec. 1247), page 24, line 19, by striking out the figure "1247", and inserting in lieu thereof: 1250; Amend Sec. 2, (Sec. 1248), page 24, line 27, by striking out the figure "1248", and inserting in lieu thereof: 1251; Amend Sec. 2, (Sec. 1249), page 25, line 13, by striking out the figure "1249", and inserting in lieu thereof: 1252; Amend Sec. 2, (Sec. 1249), page 25, line 19, by striking out the words "the total number of district", and inserting in lieu thereof: attendance data for all; Amend Sec. 2, (Sec. 1250), page 25, line 26, by striking out the figure "1250", and inserting in lieu thereof: 1253; Amend Sec. 2, page 26, by inserting between lines 22 and 23: Section 1254. On or before the first day of July, one thousand nine hundred forty-five, and on or before the first day of July of every year thereafter, the board of revision of taxes of counties of the first class, the board of property assessment, appeals and review of counties of the second class, the board for the assessment and revision of taxes or counties of the third class, and the county commissioners of all other counties, shall file a certificate with the Superintendent of Public Instruction, in such form as he may prescribe, and on blanks to be furnished by him, showing the assessed valuation of all real property in each school district in the county, on which the taxes for the then current year are levied; Amend Sec. 2, (Sec. 1251), page 26, line 23, by striking out the figure "1251", and inserting in lieu thereof: 1255; Amend Sec. 2, (Sec. 1252), page 27, line 14, by striking out the figure "1252", and inserting in lieu thereof: 1256; Amend Sec. 2, (Sec. 1253), page 27, line 24, by striking out the figure "1253", and inserting in lieu thereof: 1257; Amend Sec. 2, (Sec. 1254), page 28, line 8, by striking out the figure "1254", and inserting in lieu thereof: 1258; Amend Sec. 2, (Sec. 1255), page 28, line 21, by striking out the figure "1255" and inserting in lieu thereof: 1259; Amend Sec. 2, (Sec. 1256), page 29, line 7, by striking out the figures "1256", and inserting in lieu thereof: 1260; Amend Sec. 2, (Sec. 1257), page 31, line 4, by striking out the figure "1257", and inserting in lieu thereof: 1261; Amend Sec. 2, (Sec. 1257), page 31, line 11, by striking out the word "reimbursable"; Amend Sec. 2, (Sec. 1258), page 31, line 15, by striking out the figure "1258", and inserting in lieu thereof: 1262; Amend Sec. 2, (Sec. 1259), page 32, line 1, by striking out the figure "1259", and inserting in lieu thereof: 1263:

Amend Sec. 8, page 42, line 29, by inserting after the word "State", section four of the act approved the eighteenth day of June, one thousand nine hundred nineteen, (P. L. 498), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools"; amend Sec. 9, page 44, by inserting between lines 9 and 10: The amount of the payment to be made by the Commonwealth to any school district during the school year 1946-1947 on account of the instruction of pupils under the provisions of section one thousand two hundred forty-two as added to the act amended hereby shall not be less than the amount paid to the district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff of the district; amend the title, page 2, third from last line of title, by inserting after the word "districts": imposing duties on certain county officers,

The PRESIDENT. The amendments offered by the gentleman from Schuylkill have been read. What is the pleasure of the Senate?

Mr. WAGNER. Mr. President, I do not suppose, after hearing these amendments read, that anybody would ask that they be explained, but I am wondering whether it might be desired by the Senate that I summarize just what is accomplished by this bill as it is now amended.

Do I have permission to do that, Mr. President?

Mr. COX. Do I understand, Mr. President, after the gentleman from Schuylkill has summarized these amendments, that we may debate the amendments?

The PRESIDENT. That is correct.

Mr. WAGNER. I will say to begin with, Mr. President,

that this bill has been delayed for quite awhile largely because of the fact that everybody was so terribly concerned about doing the best possible job for our boys and girls of Pennsylvania, without imposing any additional taxes in order to accomplish that purpose.

I might further say that the first occasion for delay was due to the fact that House Bill 568 called for a five mill local tax on true valuation, something that would have disturbed and annoyed and upset the tax structure and taxing procedure in a vast majority of the school districts in the Commonwealth.

The sponsors of this bill, who are probably as diligent in their interest in the public schools as any men who ever sat in the House of Representatives, sat down with some of us members of the Senate committee, and with representatives of the Department of Public Instruction, and tried to adjust the bill so that assessed valuation could be substituted for true valuation. I doubt whether there is a gentleman in this Senate who will not find himself immeasurably relieved in his position back home by virtue of that change being made.

When we had made that change we found it would have cost a great deal more money to carry out the provisions of House Bill 568, if it were on assessed valuation, and so we proceeded to change other things in the bill to bring the cost within our limitations, without more taxes.

Since then there have been continued efforts, in consultation with everybody concerned, to find a solution, and through those means it was possible to get the bill in the shape it is in today. I am rather proud to say that as of today there is great satisfaction with this bill in its present state, on the part of the Governor of the Commonwealth, on the part of superintendents of public instruction, on the part of Mr. Sollenberger, Chairman of the Committee on Education in the House, Mr. Hare, Vice-Chairman of the House Committee on Education, and Mr. Lee, of Philadelphia, who are co-sponsors of the bill.

Let me first talk about something—I am completely amazed at how little attention has been paid to it. Our mail has constantly called attention to what salaries the teachers would like to have; our newspapers have been continuually urging passage of a teachers' salary bill, and I say to you gentlemen, while all of us have been concerned for a number of years about remuneration of teachers, this might more properly be called a children's rather than a teachers' bill, because its first and primary concern is to provide something better in educational facilities for your children and my children, and the additional increase in teachers' salaries, over and above the temproary cost of living increase of two years ago, which is now made permanent, is an incidental and pleasing part of the bill, rather than its main purpose.

In this bill we have placed all classes of school districts on an equal footing as regards determination of state school subsidies.

Every school district in the Commonwealth is enabled to furnish at least $1,800 worth of education per teaching unit, expressed in terms of average daily membership, at a local tax rate not exceeding five mills.

Beginning in 1947, every school district in this Commonwealth will be enabled to furnish at least $2,000 worth of education at a local tax rate not exceeding five mills.

All state reimbursements are computed on the basis of assessed valuations of taxable property as determined for county purposes. I might elaborate on that, just in case somebody may have overlooked it, as thousands of correspondents have in their mail to me about this bill.

When we talk about assessed valuation and true valuation, if we put true valuation in here we could only go by the figures of the State Council of Education, which is authorized to accept or reject local school district figures concerning their true value property assessment.

I am thinking of two communities in my school district, one beginning where the other one ends. The first district is certified here in Harrisburg as a 75 per cent district—I do not know who would stand responsible for its being correct—but it is certified as being 75 per cent. The contiguous district is certified—and the Council of Education for some reason or other has accepted their figures—as being a hundred per cent district, and there is practically no difference in relation of assessed valuation to true valuation in either instance.

If this bill would have been passed as the House passed it—and the sponsors now appreciate that just as thoroughly as I do—condition number one would have been to immediately up their tax assessment 25 per cent before they take their five mill tax back home, whereas their district, in the records of the Council of Education, would only have paid five mills on the current assessment.

Under the terms of House Bill No. 568, the Commonwealth makes the same percentage contribution toward the payment of:

(1) Current expenses per teaching unit;
(2) Reimbursable pupil transportation;
(3) High school tuition;
(4) Extension education;
(5) Education of home bound children;
(6) Hundred per cent of cost of vocational evening classes.

In addition the bill provides for a supplemental Commonwealth payment to the school district of $35 for vocational agricultural and industrial education.

What is the effect upon the state appropriation? The state appropriation provided to finance the bill, for the biennium in which it is first operative, is somewhere between $31,000,000 and $32,000,000 in excess of the comparable appropriation, including the temporary cost of living increase, for the biennium 1943-1945.

We are proposing to make the $27,000,000 cost of living payment to the teachers that is currently in effect, and which will be in this school year a permanent part of their reimbursement, and we are adding an additional $31,000,000 to $32,000,000, not to mention some $4,800,000 which is called for in the health program which you gentlemen passed recently, and which is a very commendable way to insure the health of our school children of Pennsylvania.

I reserve the right to be off a matter of a few thousand dollars, because some of us have been working on this since ten o'clock this morning, and you well know this Legislature could not have gotten it much before five o'clock yesterday, and we are just about fagged out.

It will cost $127,000,000 for school subsidies in the next biennium; it will cost just a little short of $10,000,000 in the case of transportation; there will be a matter of ap-

proximately $5,000,000 for health reimbursements, on account of health examinations; and whatever we appropriate, which is usually $2,000,000, for distressed school districts.

For the biennium 1947-1949, the financing of the bill will call for a net addition of another and additional $16,000,000 by the terms of this bill.

We talk about salaries, because that is a part of this bill. The bill increases the mandated minimum salaries of fourth class district elementary teachers $700 above the currently mandated salaries, plus the temporary cost of living increase. Your mandated salaries at present have a top of $1,400, for fourth class districts, and this will bring the top mandate up to $2,100 in fourth class elementary schools.

In the case of fourth class district high school teachers the increase is $600 per year. Third class district elementary teachers receive an increase of $500. Third class district high school teachers receive an increase of $300.

As regards teachers in first and second class districts, the new salary schedule makes permanent the temporary cost of living increase granted at the session of 1943. $100 increment is provided additional for elementary teachers and high school teachers of the second class, and an additional increment over and above all currently in effect for elementary teachers of first class districts.

The above increases—and I wish this could be put in italics—for the first time in the history of Pennsylvania establish a single salary schedule for the 43,000 teachers employed by third and fourth class districts.

Inasmuch as all state reimbursements are based upon assessed valuations of taxable real estate as determined for county tax purposes, the gross manipulation of assessed market value ratios, which in the past has produced inequalities in the distribution of state subsidies, will be removed. You gentlemen, some on this side and some on the other side of the Senate, who have sat for more than a year in meetings of the State School Commission, know I am speaking truthfully when I say that the gross misrepresentation of assessed valuations is a disturbing and threatening thing to the democratic school system of the state of Pennsylvania.

This bill eliminates the financial penalties which present statutes impose upon the consolidation of school districts and the establishment of joint high schools. Hence, it is probable that larger attendance areas, which are typically productive of more diversified educational programs at lower per pupil cost, will certainly be established.

House Bill 568 tends to strengthen the financial position of the school districts and will go a very long way toward the elimination of so-called distressed school districts, which have received special aid heretofore, continually, in good times as well as bad, from the emergency fund.

No provision has been included in these amendments whereby any school district will suffer in reimbursements. People have come in from all parts of the state claiming that in their particular districts, with their particular valuations, under these Senate amendments they would get less than they would get under the old system, and to protect them and insure them we have made provision that they shall not get less than is now being provided. We go further than that. We make provision that teachers in third and fourth class districts shall not get less than they are receiving in the current subsidy, plus $100 special appropriation per teacher that they will get in the first year after the enactment of this bill. No district gets less, and no teacher may get less reimbursement than has been provided by the Edmonds scale and the cost of living increase.

I believe that gives an honest presentation of our approach to a problem which, regardless of politics and regardless of what else we might disagree upon, we are all vitally concerned about and vitally concerned in.

I do not think any man in this Senate would hesitate a minute to give just as much money as he properly could to provide for his children, and other people's children, for those who much carry on in future years; the next generation for which we are preparing. We know we all are interested in creating that good result from enactment of this legislation.

No politics have been involved in it. Some ideas which have been developed came from the school commission, which was non-partisan and made up of Democratic and Republican Senators and Representatives and appointees of the Governor.

This is not a personal issue with me. I say to you frankly, if I could have ever imagined the number of headaches and the obstacles and the problems that had to be faced by the limited number of us who threw ourselves into this effort, I would have preferred to sit back and let somebody else worry about it, if I had felt disposed to pass the buck, but it is here, we think it is a good job, and we invite everybody here to endorse it.

Mr. COX. Mr. President, the first speech I ever made on the floor of this Senate was in defense of the public school system of Pennsylvania, in an attempt to raise salaries of teachers of this Commonwealth. This may be the last time that I ever will have the opportunity to speak on the floor of this Senate, and I again raise my voice in behalf of the public school system in Pennsylvania.

I agree with the gentleman from Schuylkill, Senator Wagner, in this respect, that we all want for all the boys and girls in Pennsylvania the best education we can possibly get, whether that boy comes from a cabin in the mountains or the wealthiest residential district in the Commonwealth.

When I leave this Senate there will be many things that I can remember, some pleasant, some unpleasant. There are many characteristics of the members of this Senate that I will recall. When I recall the name of Charles Mallery, I am always going to associate with him the best speech he ever made on the floor of this Senate. That speech was made this week. When he felt that a constructive piece of legislation, which did not deal with material things but dealt with the protection of underprivileged children, might be defeated on the floor of this Senate, he turned to those beautiful murals on the walls of this Senate and he pointed out the figures of those two children and called our attention to the purity of their countenances. I will never forget that speech made by Charley Mallery. Gentlemen, important as was the bill on which he was talking, this bill transcends in importance any other legislation that ever hit the floor of this Legislature. The thing we do tonight, whether it is good or bad, is going to determine what happens in the Commonwealth of Pennsylvania many years in the future.

The war in Europe is fast coming to a conclusion. That war never could have happened if people had been properly educated, if people had had the proper philosophy of life, if people accepted the idea that we ought to provide for all the people the greatest amount of happiness that we can give them.

When we build a great educational system in Pennsylvania, a great public school system, we do more to protect our democratic form of government from the invasion of ideologies, Fascism, Bolshevism, or any other "ism," than we could do with all the armies we could ever arm. That is why tonight, gentlemen, this bill is of such vital importance to this Commonwealth. The boys and girls we educate in the public schools of Pennsylvania are the boys and girls who are going to build the airplanes, the great buildings, the bridges, the structures which engineering creates, and the quality of the things they build is going to be determined by the quality of the education they get in the public school system of Pennsylvania, and the quality of the labor supply for our industries is determined by the quality of our public school system.

Gentlemen, when I see a piece of legislation it is not a thing about which we fight or quarrel today, a thing about which we make a political issue, but I see into the future and what it can be.

Last year a crisis faced this Commonwealth. The Governor of this Commonwealth did an unprecedented thing. He called to Harrisburg the leaders of the Republican and Democratic parties. Although I am not a leader of the Democratic Party in this Commonwealth, I had the honor and the good fortune to sit in those conferences, and we sat around a table and we threw on the table our collective ideas, and there was never a question of political gain in any meeting we ever had, and as a result of that democratic cooperation, Pennsylvania passed the finest soldier voting bills we have ever had in America; this Legislature came here and in a special session of five days, the very minimum, passed the legislation and went home and every bill passed without a dissenting vote.

In 1943 I introduced a bill to set up an educational commission, or rather in 1941 and 1943 a commission was set up, not because of my bill—because I was a member of the Minority Party—but because of a bill which came over from the House, and I was very pleased that the Senate of Pennsylvania realized that the time had come in its history to reform the public school system of Pennsylvania, because reformation was badly needed. As a result of that commission study there were pointed out to us serious defects in our public school system. Up until this last week I had hoped that we could set up in Pennsylvania, as we can set up, the finest system of public school education in this country.

We live in a democracy. In Pennsylvania we have two great parties, the Republican Party and the Democratic Party. When this problem of public school education was so important, why could not the Republican administration, in this session of the Legislature, have invited the Democratic leaders to Harrisburg to sit around a round table, together with Republican leaders, and by interchange of collective thinking give Pennsylvania a great public school system?

Gentlemen, the opposite thing happened: The Governor of this Commonwealth in the very beginning said, "I am going to give you a certain amount of money; that is your cloth; you make your coat to fit the cloth. It does not make any difference whether you feel there is enough cloth to make a coat for the size boy you have to clothe; this is the cloth you take." That is why tonight, in the dying hours of this session, we are confronted by the problem of voting on nine pages of amendments, involving the most important thing we have ever faced in this Legislature, and we do not know what they are.

The Senator from Schuylkill presented his case in a fine manner. I listened attentively and learned much from what he said. There is no question there are in this bill many amendments we need in our public school system, but there are other things that perhaps should be there that are not there, because we have not had an opportunity to sit down and study the system and put them there.

This bill involves two fundamental things. The first is the manner of distributing state subsidies to the local districts. According to the remarks of the gentleman from Schuylkill, Utopia has at last arrived in Pennsylvania, and yet, in the fifteen or twenty minutes which I have had had to try to understand something about this bill, there was handed to me from an authoritative source—by a representative of the public school system of Pittsburgh—this statement, "The school board needs $915,000 to cover costs of the present set-up under Senate Bill 568 as reported to the floor, plus additional increases guaranteed by new amendments; this bill would give approximately $600,000; shortage is therefore $315,000.

I ask the gentleman from Schuylkill, Senator Wagner, is he proud that he has solved the financial program of the school system of Pennsylvania, when tonight you are going to pass a bill which leaves them with a deficiency of $315,000?

There is one thing you gentlemen should be conversant with, and that is this: The people of Pennsylvania today want a good school system. You know that from the tone of the letters you have received. I have here just a few letters, selected to try to get a cross-sampling of what the people of Pennsylvania have to say.

Here is a letter from a housewife, not a school teacher who has a financial interest:

"As a housewife with two children in school I am most concerned about the predicament of the teachers of our state. At a mother's meeting the other day I found the condition to be much worse that I had thought. Many of us mothers were told that people believed the average teaching salary to be between $3,000 and $5,000. We know now that they do not earn half this much, on average."

Here is a short letter from the Sharpsburg Chamber of Commerce, reading as follows: "Members of the Sharpsburg Chamber of Commerce urge your support of House Bill 568 in its original form."

Here is a letter from the Lions Club of Mount Lebanon, urging that this Legislature pass House Bill 568 in its original form.

Here is another letter from the Chairman of the Americanization Committee of the American Auxiliary of Montour Valley.

Here is a letter from the school district of Clairton, located in Allegheny county.

This letter, when I received it, gripped me because this is a letter from a girl I taught in school:

"I am in favor of House Bill 568. In my opinion nursery school or kindergarten is a progressive step. It is a forward step, so why go into reverse in education of young children of a very impressionable age. I feel that it is a child's first step into wider horizons where they receive guidance in their thoughts and in group activities. This guidance forms a sound foundation for later school years. Personally, I found kindergarten a wonderful step in the case of my own twins, who, although backward and shy, blossomed forth into 'one of the gang'."

For thirteen years I was a school teacher, the greatest thirteen years of my life, because I dealt with people who were plastic, who were idealistic, who had energy, who wanted to go out and make the world a better world, a cleaner world, and it is grand to have a letter from a girl I taught. I did not read to you the entire letter, because she said some personal things, which of course, I appreciate very much.

Here is a letter from the Parent-Teacher Association from Brentwood, Pittsburgh, Pennsylvania.

Gentlemen, those are just a few of the expressions that are voiced by the people of Pennsylvania. I am satisfied, after what has happened in this session of the Legislature, that this well articulated voice is going to be more compelling, it is going to be louder, and when you gentlemen come back in 1947 you are going to be in a position where you are going to do something more about the public school system than you are doing tonight.

Another element in this bill which is extremely important is the question of teachers' salaries. I have here a press release by the Governor of Pennsylvania in which he deals with these astronomical amounts—astronomical to me because I can not count in millions of dollars—and he brags about the tremendous increase in money Pennsylvania today is pouring into public school education, as compared with what it was, for instance, during the Earle administration. The Governor of Pennsylvania compares Pennsylvania today economically with Pennsylvania during the Earle Administration. Why, the whole situation is ridiculous and ludicrous. Think of the problem the Earle administration faced, the problem of unemployment to break its darkest depression, when this Legislature was called into special session after special session to try to keep the people alive. How can anybody take credit tonight and brag because they are giving the Commonwealth and teachers far more for education than was given to them during the Earle administration.

If we had a week I would like to take the Earle administration and compare it with the administration of Governor Martin, as has been indicated by his entire legislative program. I could talk about the destruction of rural electrification, and many of these things that are so important to the common people of Pennsylvania.

When the gentlemen from Schuylkill talked about salaries he mentioned the amount of increase. Gentlemen, these figures, I hope, are authentic, and if they are not, Senator Wagner, please correct me, as I had to catch them out of the air.

In a fourth class district the maximum mandated salary by the Commonwealth of Pennsylvania for high school teachers is $2,100 a year. That means, gentleman, that if a teacher teaches for thirty years, under your mandated salary schedule he is still going to make $2,100 a year.

A school teacher is not a laborer; a school teacher is a person that, under the requirements of our Department of Public Instruction, has considerable education; he has at least an eighth grade education, plus a high school education, plus four years in college, and we are saying to him, "the best we can pay in Pennsylvania to keep you in our school system is $2,100 a year." I look at that $2,100 in these times, for that man's family, his wife, his one, two or three children, and then I say to myself, "What can I buy for $2,100, and if I have the qualifications to come into the public school system and teach, how long am I going to be able to keep them?"

You are getting the answer to that today. Your failure to approach this problem realistically in the last session of the Legislature has resulted in the absolute necessity of thousands of these people having to get out of the profession they love and for which they are greatly qualified.

Yesterday I heard of one little county very close to Harrisburg. They have nineteen teachers. Next year they will have to replace sixteen teachers—sixteen teachers out of nineteen. That ratio, of course, is very high, perhaps much higher than is happening in other districts throughout the state, but you can not find one school district in Pennsylvania today, whether it is a first-class district, which pays the highest, down to the fourth-class district which pays the lowest, that is not going to have the problem of getting competent teachers. Understand this, gentlemen, it takes a long time to make a good teacher. We can train them in college and in our normal schools and bring them into our elementary schools and high schools, but it takes experience, and that experience is worth gold to us.

One of the things we set out to do, as recommended by the commission, was the equalization of salaries. It is true that under this bill there is an attempt at equalization. The maximum salary for elementary teachers for third and fourth class districts, and also for high school teachers in third and fourth class districts, is $2,100. That is equalization of salaries for elementary and high school teachers in third and fourth class districts? I would like to compare some of these figures, and I will ask you if that is equalization.

An elementary teacher in a first class district makes $2,700. An elementary teacher in a third or fourth class district makes $2,100; a differential of $600; I ask you if that is equalization. A high school teacher in a first class district makes $3,400, and a high school teacher in a third or fourth class district makes $2,100, a differential of $1,300; I ask you again, is that equalization?

So many of these things we could have done we have not done. I could talk all night on the subject, but I am not going to, because I know that tonight there is nothing that you gentlemen can do about it. It is your bill, they are your amendments; you are stuck with them. You do not know what is in them, outside of having been convinced by the ideas of the gentleman from Schuylkill, Senator Wagner. You have got them because your Governor said to you to play safe. I have heard it said he has told you "this is the most you can get for the public school system of Pennsylvania and you have got to cut your coat from the cloth." Now you have made the coat, gentlemen, and I am telling you once again that the boy has already outgrown the coat.

I am just about through. In this bill there are some good amendments. I had to pull them out of the air, too. Several days ago I took to the Chairman of the Committee on Education of the Senate amendments which had been given to me by the Pennsylvania State Education Association, and told him we proposed to submit these amendments. I did that because I wanted to be fair; I wanted to keep this whole matter out of politics. I felt that we could sit down, using our common ideas and our intelligence, and work something out. I have always had before me, in my entire fight for education, the goal I told you about when I started. And yet there was handed to me tonight, not by a member of the Republican Party, not by Senator Homsher, not by Senator Heyburn, but by a member of the Pennsylvania State Education Association, these amendments, and as far as I know, there is not any other member on this side of the Senate who has ever seen the amendments; outside of myself no one has.

So, gentlemen, we do not understand your amendments, other than that, i nthe little time we have had, we have been able to work out a salary schedule, and we say to you that you can not buy the kind of teachers you need to teach in your public schools for the picayune money you are willing to pay them. I have heard men on the floor of this Senate say that a teacher does not teach entirely for money; if a teacher does, he is not a good teacher. I agree with that proposition partially. I admit there is a satisfaction and a pleasure that you can get from teaching school that you can never get from any other business or profession in the world. I have a tremendous admiration for the school teachers of Pennsylvania. They have gone along year after year, self-sacrificing, but I will say this to them, in the future they have got to be more articulate if they want to get anything out of the Legislature of Pennsylvania. You can not be mouse-like if you want to get anything here.

Yesterday, School Teachers of Pennsylvania, there was passed a sick-leave bill giving sick-leave to employes of the Commonwealth of Pennsylvania, and yet, School Teachers of Pennsylvania, your sick-leave bill died in committee.

I hope that the school teachers who are here will go home and tell the other school teachers that John Cox said one thing, if you want something, you have got to educate the members o fthe Legislature as to the necessity of what you want, you have got to persuade them that this business of education is extremely important; that it is more important than all the time they might spend on big truck legislation and legislation of that type; and I know that the members of this Legislature are going to respond.

This to me is a tragic circumstance. I had hoped, when I made my last speech on the floor of this Senate, that my heart would be filled with happiness, that I could feel perhaps my presence in this Senate for five or ten years—whatever it might be I was here—might in some way have given something substantial to Pennsylvania. When I came here I was as naive politically as anyone who ever came here. I came here with great enthusiasm and the feeling we would take some of these problems which to me must be solved, sit down, because of our common interests and common desire to solve them, and we could do something about them. But I will tell you that in the five sessions I have sat through I have become bitterly disillusioned, because I have found so many times that the material things which are on the Calendar in this Legislature, particularly this Senate, are far more important than the idealistic things. That is why, as I told you in the beginning, when I think of Charles Mallery I am going to think of that mural; the innocent faces of those children, to which he pointed, will be engraved in my heart as long as I live.

Mr. JONES. Mr. President, I have listened to the amendments as prepared and explained by the gentleman from Schuylkill, Senator Wagner. I think these amendments write a new bill. This new bill in many respects is a liberal bill. It is a bill that cannot be criticized particularly because it accomplishes things for the school teachers.

However, I liked the provisions of House Bill 568 as it came from the House. I think that bill was an ideal bill. In fact, that bill is a dream bill. It sets up machinery to work out the appropriations for the teachers and for the interests of the taxpayers of the school districts in a logical manner and the factors used, when equalized, are all appropriate factors for determining the amount and character of the appropriation by the state to the various school districts.

I believe that the Governor of Pennsylvania was interested in this bill as it came from the House. I believe that because the men who sponsord the bill in the House are all Republicans; they are administration Republicans. The bill was drawn by the best educational thinkers, the best thinkers in education, and I do not think it should have been changed in a single paragraph. I believe it should have been accepted by the Senate and adopted and worked out in a reasonable and proper manner, to provide for the salaries of the school teachers of Pennsylvania.

When the Governor talked about the teachers' bill he issued a newspaper release dated April 30 and in that release he said "I have always advocated that our teachers should be paid a single minimum standard so that the children in the rural districts and small towns might have the benefit of instruction from teachers as well qualified as those of our large cities."

Because they are not paid a single minimum standard in the rural districts and small towns, they can not, as a result of these changes, through amendments, obtain teachers as well qualified as those in the large cities, because their teachers can not be paid as well, and for that reason I would have preferred to vote for the House bill rather than the Senate amendments.

I mean to say that this bill in the House was devoted to two principal ideas. One was to increase salaries of the teachers and the other was to reduce the burden on real estate in the various school districts.

Salaries of teachers were increased by increasing the minimum and the maximum contribution, and taxes in the school districts were to be reduced, because the school districts were only asked to levy a millage of five mills. Under the House bill the amount above that almost entirely would come from state appropriations and thereby the school districts, through their taxing powers, could reduce the tax rate and the millage within the respective districts and give that relief to the taxpayers which is so important and so necessary.

I have heard Senator Cox speak of teachers as welfare

workers. They have developed a skill in their profession, after long years of study and much experience and training. First they have gone through high school, then into preparatory college, and they have prepared themselves in their profession, an important profession, a very important profession.

Senator Cox referred to that picture and he pointed out how our teachers give our children that sense of protection and well being that is so important to children, particularly in the elementary grades. So it is with teachers, particularly in those groups that function in the place of a mother, they care for those children just as a mother, they watch them while at play at recess time, and they are interested in their welfare. They have a very important job to perform with our children, Mr. President, because they train the minds of those children and they mold those minds and they make of those boys and girls our future citizens, the men and women who will function in the Commonwealth of Pennsylvania in the future.

I say there is no one who works upon a subject matter as important and as delicate as the mind of a child, and so it is that this important profession ought to receive greater emoluments for the services they render. This House bill provided a considerable advance in their present salary and would improve their living conditions, and their welfare would be upon a more substantial basis and they could function, as a result of the receipt of the money provided in the House bill, in accordance with their training and their profession. Today many of these school teachers are receiving less for their valuable services than defense workers in the plants of our country, and so I say, by that comparison, they should receive the best the state of Pennsylvania can give them.

There is another matter which this House bill vitally affects and that is the taxes upon the taxpayer, because if those taxes can be reduced the taxpayer is relieved and the distress now occasioned by the high school tax, which is greater than the combined taxes of all others in many municipalities in the state of Pennsylvania, would be to a great extent relieved. That is an accomplishment much to be desired and was well on its way in this House bill.

I say to you I believe the House bill works out an equal and an equitable appropriation to third and fourth class districts. In third and fourth class districts there is what we call the teacher's pupil unit. Each teacher pupil unit shall contain thirty pupils to each teacher, whereas in the secondary schools each teacher shall be given twenty-five pupils, and of course that works an inequality. There is no justification for the application of a different measure to secondary school teachers than to those in the elementary grades. I say it should be uniform, twenty-five per teacher, in determining the amount of the appropriation to first class districts, to second class districts, to third and fourth class districts, and the elementary and high school divisions of the schools of government. That would work out more equitably and that would provide for third and fourth class district teachers an increase in salary.

The bill by a rider does provide that they shall not receive less than $100 per annum. It was found necessary to put in that provision as a rider because in many districts in Pennsylvania they would not receive it under the Senate amendments.

And so I say to you when that House bill was changed it did two things. It cut out, particularly in the elementary schools, the additional increase in teacher salaries that they would have otherwise received, and it eliminated relief to the taxpayer which would have reduced the burden to the taxpayer.

In Luzerne county, from whence I come, through tax sales every year thousands of properties are being sold because the taxpayer can not meet this burden of the school tax and their properties are sold for taxes. That burden could be much relieved.

The argument has been advanced, as to why this reduction should be made, that the appropriation would be too high, but in my honest judgment, Mr. President, I do not believe the appropriation was too high or that it could not be met by this government.

The difference between the House bill and the Senate bill is approximately $10,000,000, and yet there will be spent this biennium $660,000,000 or better, and there was spent during the last biennium $460,000,000. We are spending, under a House bill that we adopted this very night, without a peep from anybody as to cost, but as a bill of the government to pay, House Bill 67, Printers No. 631, appearing on page 10 of tonight's calendar. I have that bill in my hand, and it provides for an appropriation of $12,000,000 for the purpose of dredging the Schuylkill River. They will dredge only a portion of that river this year and next year another large appropriation shall be made. Just yesterday we voted for the taking over of toll bridges, in which we appropriated some $7,000,000. If either of those appropriations were applied to this school teacher arrangement we could tonight vote for the House bill and give the school teachers of Pennsylvania their dream bill, but unfortunately it was felt that to dredge the silt from the Schuylkill River, at a cost of $12,000,000, was more important than to sustain that House bill.

I can not agree with that philosophy of government and so I am here tonight stating my reasons why I can not support the Republican Senate in their composite judgment, and why I think the school teachers of Pennsylvania are entitled to the relief which they ask by the House bill.

Mr. GELTZ. Mr. President, I think this Senate owes a debt of gratitude to Senators Wagner and Homsher for their splendid work and the diligence with which they did their work. I think all of the Senators should vote for the amendments which they have offered.

One of the unfortunate things we find is that sometimes people are inclined to stir up trouble and dissension and dissatisfaction, instead of trying to smooth things over.

I found, upon coming into the Senate Chamber tonight, that the provisions of the amendments as finally drawn by Senators Homsher and Wagner, with the assistance of members from the House, met with general approval of the representatives of the teachers who were in this Senate. As a matter of fact, I think I can honestly say that those amendments, at least from the reaction which I received, met with the almost unanimous approval of those representatives.

I think the teachers realize that these amendments are not what they would have liked and hoped for, and I think I can say that goes for practically every Senator in this chamber tonight. I think every one of us would like to improve educational facilities and educational conditions

in Pennsylvania. However, we must face the facts. We have been having cited to us the fact that Pennsylvania stands fifteenth or sixteenth in the list of states, but when we consider that, we must also consider the fact that in almost every state which stands ahead of Pennsylvania, that state has either a sales tax or a state income tax, and many of the states have both. Pennsylvania has neither.

If some of those Senators who are so interested—and I think sincerely interested in bettering our educational system, would give some thought to the proposition as to from where we can receive the money, and would introduce a bill to provide that revenue, I feel certain that a program much better than the one which is being passed here could be passed in both Houses of the Legislature.

One thing we have got to think about, if we are going to improve any further, is the type of tax we are going to impose for educational purposes. A study of the statistics will show that we can not put any greater load on business in this state, because statistics show that Pennsylvania industry now pays 29 point odd per cent of the total revenue in the state and the nearest state in the country, which is Massachusetts, pays 25 and some fraction. New York pays 20.

Of course, if we sell Pennsylvania products only within the boundaries of Pennsylvania, that need be no concern of ours, but, in order to have for Pennsylvania's industries a fair supply of employment, we must be able to sell our products not only throughout the country but throughout the world, and that means in a competitive sphere. We all appreciate, too, that after this war competition is going to be keen, so keen, as a matter of fact, that the differential which now exists in the tax situation, in so far as Pennsylvania industry is concerned, might be such as to put Pennsylvania industries at such a disadvantage that they will not be able to prosper.

It is easy to stand here and suggest to the teachers that they become a louder speaking group; that they become, in plain words, a greater pressure group. No, the teachers do not want to become that, and I do not know why it is suggested by any one that they become that. That is not the right way to solve this problem. Intelligent study is the right way to solve it, not only from the standpoint of the classifications in the bill, but also from the standpoint of from where to get the revenue. I happen to be one of those persons who has never been able to see the justification for any differential in so far as first, second, third or fourth class districts are concerned.

However, I had some amendments prepared to offer to House Bill 568, as amended. One set of amendments would have put this bill in the form in which it came from the House; the other set of amendments would have made a change in the classification in districts. I was amazed and astounded, when I got the figures, as to what a change in classification would do; it was absolutely just impossible under present circumstances.

Instead of saying to these teachers' representatives who are here tonight: "Be dissatisfied, go back to your districts and start talking and spread dissatisfaction," I would like to say to them "I admire you for your good sportsmanship; I admire you for your reaction when you were faced with these amendments which are now being offered to the bill; we all want to help you, we need your help; we ask your help, too; we ask your assistance in solving this problem, both from the salary classification and also the revenue classification, and if we work together, instead of against each other, this problem will be solved and Pennsylvania will take its proper place."

Mr. WAGNER. Mr. President, I absolutely marvel at the attention and the interest that is manifested by this body at this hour of the morning. I am not going to make another speech but I merely want to say that nobody has controverted anything that we have presented. I am not going to start a debate because I do not believe I will be able to get on my feet once more tonight.

However, I would like to say to the gentleman from Allegheny, Senator Cox, who has declared his intention of carrying the ball for the teachers, that is okay with me, the schools of Pennsylvania need every friend they can get, Senator Cox, and more power to you. He proclaims himself as a champion of the teachers, and I accept that.

I do want to say I have worked like a horse, with some of these other fellows, to get through for the school teachers an increase of $27,000,000 in two years. We worked that out with Senator Homsher, who is pretty nearly worn out at this moment from this job.

I also want to say that in my opinion the gentleman from Allegheny, Senator Geltz, made a magnificent summation of the situation, for which I think everybody who has an interest in the schools should be thankful.

In conclusion I suggest that we do not prolong this thing any further and get down to a vote on the matter.

Mr. COX. Mr. President, I do not intend to continue this controversy. I have prepared several amendments, which, if I have the opportunity, I will present on behalf of the eighteen members of the Demrocratic Party who are members of the Senate.

I want to say one thing, however. Some weeks ago Senator Rosenfeld in a very poignant speech analyzed the financial status of this Commonwealth and the revenue to be received during this biennium; if those figures are correct—and I believe them to be true—we will have for use in this biennium $56,000,000 more than has been estimated by the Governor.

The position of our party on these amendments will be this: we are not satisfied with the mandated salary schedule which these amendments contain. We do not think it is enough. We felt that when the House, doing the courageous thing that it did, sent over to us a bill which they had agreed on unanimously, that that probably would be the most that this session of Legislature could give to the school teachers of Pennsylvania.

We are proud of what happened in the House, proud of what those people did and we certainly stand back of them. We also believe that there is no proper equalization of the revenues which are to be distributed to the various districts. We feel that the base of $600 is not sufficient.

For those two reasons I urge the members on the Democratic side of this Senate to vote against these amendments. I might say that there are many of the amendments which are probably good, but we have not had an opportunity to study them.

In order not to delay the business of the Senate, we do not insist that each amendment I propose to submit be read and then voted on, but we will permit you to read them in their entirety. Because of the reasons I have

pointed out I request the members of the Senate on the Democratic side to vote against the acceptance of these amendments offered by Senator Wagner.

And the question recurring,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 1, (Sec. 1209.1), page 8, lines 13 and 14, by striking out the words "one hundred twenty dollars ($120), minimum number of increments ten (10)", and inserting in lieu thereof: one hundred dollars ($100), minimum number of increments thirteen (13); Amend Sec. 1, (Sec. 1209.1), page 9, line 8, by striking out the word and figure "eight (8)", and inserting in lieu thereof: nine (9); Amend Sec. 1, (Sec. 1209.1), page 9, lines 11 and 12, by striking out the word and figure "eight (8)", and inserting in lieu thereof: nine (9); Amend Sec. 1, (Sec. 1209.1), page 9, line 25, by striking out the word and figure "six (6)", and inserting in lieu thereof: seven (7); Amend Sec. 1, (Sec. 1209.1), page 10, line 8, by inserting after the figure "(4)": principals having twenty-five (25) or more teachers under their supervision and who devote one-half or more of their time to supervision and administration, minimum annual salary two thousand four hundred dollars ($2,400), minimum annual increment one hundred dollars ($100), minimum number of increments four (4); Amend Sec. 1, (Sec. 1209.1), page 10, line 9, by striking out the word "twenty-fixe", and inserting in lieu thereof: twenty five; Amend Sec. 1, (Sec. 1209.1), page 10, line 25, by inserting after the word "employes": and temporary professional employes; Amend Sec. 1, (Sec. 1209.1), page 11, line 5, by striking out the word "increment", and inserting in lieu thereof: increments; Amend Sec. 1, (Sec. 1209.1), page 11, line 26, by inserting after the word "schools": and evening vocational classes; Amend Sec. 1, (Sec. 1209.1), page 12, by inserting between lines 2 and 3: 9. Teachers who are required, because of additional work, to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation, to be determined by the board of public education or the board of school directors. Teachers who may be employed in giving instruction for only part of a day shall render such other service, for such period of time per day, as the board of public education or the board of school directors may direct, but if such service cannot be assigned to such teacher by the board of public education or the board of school directors, the salary paid to such teacher shall be proportioned to the number of hours of service rendered; Amend Sec. 1, (Sec. 1209.1), page 12, line 3, by striking out the figure "9", and inserting in lieu thereof: 10; Amend Sec. 1, (Sec. 1209.1), page 12, line 14, by striking out the figure "10", and inserting in lieu thereof: 11; Amend Sec. 1, (Sec. 1209.1), page 12, line 17, by striking out the figure "11", and inserting in lieu thereof 12; Amend Sec. 1, (Sec. 1209.1), page 12, line 21, by striking out the figure "12", and inserting in lieu thereof: 13; Amend Sec. 1, (Sec. 1209.1), page 12, line 28, by striking out the figure "13", and inserting in lieu thereof: 14; Amend Sec. 1 (Sec. 1209.1), page 13, line 14, by striking out the figure "14", and inserting in lieu thereof: 15.

On the question,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—30

Becker,	Ealy,	Mallery,	Troutman,
Berger,	Farrell,	Scarlett,	Tyler,
Blass,	Geltz,	Snowden,	Wade,
Bowers,	Heyburn,	Stevenson,	Wagner,
Carr,	Homsher,	Tallman,	Walker,
Chapman,	James,	Taylor,	Wilson,
Crider,	Kephart,	Thomas,	Woodward,
Crowe,	Letzler,		

NAYS—19

Barr,	Gourley,	Klein,	Rosenfeld,
Coleman,	Haluska,	Leader,	Ruth,
Cox,	Holland,	Margie,	Stiefel,
Dent,	Jaspan,	McCreesh,	Woodring,
DiSilvestro,	Jones,	McGinnis,	

So the question was determined in the affirmative.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 2, (Sec. 1241), page 18, line 24, by striking out the word and figure "twenty-five (25)", and inserting in lieu thereorf: twenty-two (22); Amend Sec. 2, (Sec. 1241), page 19, line 23, by inserting after the figures "1945-1946": and the school year 1946-1947; Amend Sec. 2, (Sec. 1241), page 19, line 28, by striking out the figures "1946-1947", and inserting in lieu thereof: 1947-1948; Amend Sec. 2, (Sec. 1241), page 20, line 19, by inserting after the figures "1945-1946": and the school year 1946-1947; Amend Sec. 2, (Sec. 1241), page 20, lines 22 and 23, by striking out the words "the maximum mileage permitted by law for tax levies by the vocational school district", and inserting in lieu thereof: three-one thousandths (.003); Amend Sec. 2, (Sec. 1241), page 20, line 28 to page 21, line 2, inclusive, by striking out the words "the maximum millage permitted by law for tax levies by the vocational school district", and inserting in lieu thereof: three-one thousandths (.003); Amend Sec. 2, (Sec. 1241, page 21, line 7, by striking out the word and figure "twenty-five (25)", and inserting in lieu thereof: twenty-two (22); Amend Sec. 2, (Sec. 1241), page 21, lines 14 and 15, by striking out the words "number of teaching units", and inserting in lieu thereof: sum obtained unler (1) and (2) above; Amend Sec. 2, (Sec. 1242), page 22, line 6, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership; Amend Sec. 2, (Sec. 1242), page 22, line 9, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership;; Amend Sec. 2, (Sec. 1242), page 22, line 16, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership Amend Sec. 2, (Sec. 1242), page 22, line 19, by striking out the word "enrolled", and inserting in lieu thereof: in average daily membership; Amend Sec. 2, (Sec. 1244), page 23, line 20, by inserting after the word "the", sum of "overhead cost per high school pupil" and; Amend Sec. 2, (Sec. 1244), page 24, line 4, by inserting after the word "school": multiplied by the number of pupils; Amend Sec. 2, (Sec. 1245), page 24, lines 8 and 9, by striking out the words and figures "thirty dollars ($30) per district", and inserting in lieu thereof: thirty-five dollars ($35) in vocational agriculture and vocational industrial education, twenty dollars

($20) in vocational home economics education, and fifty dollars ($50) in vocational distributive education per; Amend Sec. 2, (Sec. 1245), page 24, line 10, by striking out the word "curriculum", and inserting in lieu thereof: curriculums; Amend Sec. 2, page 24, by inserting between lines 11 and 12: Section 1246. Every school district and every vocational school district, regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved traveling expenses in the discharge of teaching and supervisory responsibilities of teachers, coordinators, supervisors and directors in vocational education, eighty per centum (80%) of the sum expended by the school district for such approved travel; Section 1247. Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved vocational extension classes at the rate of two dollars ($2) per hour of instruction approved by the Superintendent of Public Instruction; Section 1248. In the event that the Congress of the United States provides additional funds for vocational education, the State Board of Vocational Education shall have authority to establish rules and regulations governing the administration and distribution of such funds; Amend Sec. 2, (Sec. 1246), page 24, line 12, by striking out the figure "1246)", and inserting in lieu thereof: 1249; Amend Sec. 2, (Sec. 1246), page 24, line 15, by striking out the word "district"; Amend Sec. 2, (Sec. 1246), page 24, lines 16 and 17, by striking out the words "physically or"; Amend Sec. 2, (Sec. 1246), page 24, line 17, by inserting after the word "children": and the sum of thirty dollars ($30) per pupil in average daily membership in a course or courses for physically handicapped children; Amend Sec. 2, (Sec. 1247), page 24, line 19, by striking out the figure "1247", and inserting in lieu thereof: 1250; Amend Sec. 2, (Sec. 1248), page 24, line 27, by striking out the figure "1248", and inserting in lieu thereof: 1251; Amend Sec. 2, (Sec. 1249), page 25, line 13, by striking out the figure "1249", and inserting in lieu thereof: 1252; Amend Sec. 2, (Sec. 1249), page 25, line 19, by striking out the words "the total number of district", and inserting in lieu thereof: attendance data for all; Amend Sec. 2, (Sec. 1250), page 25, line 26, by striking out the figure "1250", and inserting in lieu thereof: 1253; Amend Sec. 2, page 26, by inserting between lines 22 and 23: Section 1254. On or before the first day of July, one thousand nine hundred forty-five, and on or before the first day of July of every year thereafter, the board of revision of taxes of counties of the first class, the board of property assessment, appeals and review of counties of the second class, the board for the assessment and revision of taxes of counties of the third class, and the county commissioners of all other counties, shall file a certificate with the Superintendent of Public Instruction, in such form as he may prescribe, and on blanks to be furnished by him, showing the assessed valuation of all real property in each school district in the county, on which the taxes for the then current year are levied; Amend Sec. 2, (Sec. 1251), page 26, line 23, by striking out the figure "1251", and inserting in lieu thereof: 1255; Amend Sec. 2, (Sec. 1252), page 27, line 14, by striking out the figure "1252", and inserting in lieu thereof: 1256; Amend Sec. 2, (Sec. 1253), page 27, line 24, by striking out the figure "1253", and inserting in lieu thereof 1257; Amend Sec. 2, (Sec. 1254), page 28, line 8, by striking out the figure "1254", and inserting in lieu thereof 1258; Amend Sec. 2, (Sec. 1255), page 28, line 21, by striking out the figure "1255", and inserting in lieu thereof: 1259; Amend Sec. 2, (Sec. 1256), page 29, line 7, by striking out the figure "1256", and inserting in lieu thereof: 1260; Amend Sec. 2, (Sec. 1257), page 31, line 4, by striking out the figure "1257", and inserting in lieu thereof: 1261; Amend Sec. 2, (Sec. 1257), page 31, line 11, by striking out the word "reimbursable"; Amend Sec. 2, (Sec. 1258), page 31, line 15, by striking out the figure "1258", and inserting in lieu thereof: 1262; Amend Sec. 2, (Sec. 1259), page 32, line 1, by striking out the figure "1259", and inserting in lieu thereof: 1263.

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth and seventh sections were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 8, page 42, line 29, by inserting after the word "State": section four of the act approved the eighteenth day of June, one thousand nine hundred nineteen, (P. L. 498), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools,".

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 9, page 44, by inserting between lines 9 and 10: The amount of the payment to be made by the Commonwealth to any school district during the school year 1946-1947 on account of the instruction of pupils under the provisions of section one thousand two hundred forty-two as added to the act amended hereby shall not be less than the amount paid to the district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff of the district.

It was agreed to.

The section was agreed to as amended.

The tenth and eleventh sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WAGNER offered the following amendment:

Amend the title, page 2, third from last line of title, by inserting after the word "districts": imposing duties on certain county officers.

It was agreed to.

The title was agreed to as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. COX. Mr. President, may I make an explanation before I offer amendments?

The PRESIDING OFFICER. The gentleman from Allegheny will proceed.

Mr. COX. The amendments I am about to submit for consideration of the Senate propose to raise the base from $600 to $800; we raise the salary schedule back to where it was in the bill as it came from the House; we have a common unit of twenty-five pupils per teacher; we established a common pupil teacher ratio for both high schools and elementary schools; we also include an amendment which fixes the valuation at the present assessed valuation.

Practically all the other amendments which were in the bill as amended by the Senate are included here.

We would have liked to introduce an amendment which would have put the bill back in the shape it was when it came from the House, but we felt that some of the Senate amendments were valuable and should be continued, and if our amendments were accepted and the bill got into a conference committee in the House, perhaps they would have to accept them, and for that reason we did not rip those amendments out in our amendments.

Mr. President, I offer the following amendments, and in order to save time, if it is the intention of the Majority Party to vote them down, it will not be necessary for them to be read.

These amendments are offered in behalf of my colleagues, Senators Woodring, Gourley and myself, and at the request of the eighteen Democratic members of the Senate.

Mr. COX on behalf of the Democratic Members of the Senate offered the following amendments:

Amend Section 1 (Section 1209.1) page 2, line 14, by striking out the bracket before the word "The"; Amend Section 1 (Section 1209.1) page 2, line 18, by striking out the bracket after the word "persons"; Amend Section 1 (Section 1209.1) page 3, line 1, by striking out the bracket before the word "are"; Amend Section 1 (Section 1209.1) page 3, line 29, by striking out the bracket after the word "dollars"; Amend Section 1 (Section 1209.1) page 4, line 1, by striking out the bracket before "($2,600)"; Amend Section 1 (Section 1209.1) page 4, line 29, by striking out the bracket after the word "than"; Amend Section 1 (Section 1209.1) page 5, line 1, by striking out the bracket before the word "thirteen"; Amend Section 1 (Section 1209.1) page 5, line 29, by striking out the bracket after "(50)"; Amend Section 1 (Section 1209.1) page 6, line 1, by striking out the bracket before the word "teachers"; Amend Section 1 (Section 1209.1) page 6, line 29, by striking out the bracket after the word "this"; Amend Section 1, (Section 1209.1) page 7, line 1, by striking out the bracket before the word "act"; Amend Section 1 (Section 1209.1) page 7, line 9, by striking out the following: whether or not such additional salary is temporary; Amend Section 1 (Section 1209.1) page 7, line 18, by inserting the figure "6" before the word "The"; Amend Section 1 (Section 1209.1) page 7, line 29, by striking out the bracket after the word "education"; Amend Section 1 (Section 1209.1) page 8, line 1, by striking out the bracket before the word "in"; Amend Section 1 (Section 1209.1) page 8, line 5, by striking out the bracket after the word "Degree"; Amend Section 1 (Section 1209.1) page 8, line 5, by striking out the words "The minimum salaries of all" and by striking out all of the words in lines 6 to 28 inclusive; Amend Section 1 (Section 1209.1) page 9, by striking out all of the words on said page; Amend Section 1 (Section 1209.1) page 10, by striking out all of the words on said page; Amend Section 1 (Section 1209.1) page 11, lines 1 to 20, by striking out all of the words in said lines; Amend Section 2 (Subsection (2) of Section 1241) page 18, line 23, by striking out the following: as follows (1) divide; and substituting in lieu thereof: by dividing; Amend Section 2, (Subsection (2) of Section 1241) page 18, line 25, by striking out the following: in a public high school (2) divide by; Amend Section 2 (Subsection (2) of Section 1241) page 18, lines 26, 27, and 28, by striking out all of the words in said lines and substituting in lieu thereof the following: Provided, however, that no district shall be considered as having more district teaching units than the number of teachers, supervisors, principals, and all other full time members of the teaching and supervisory staff in said district, except as herein otherwise provided; Amend Section 2 (Subsection (4) of Section 1241) page 19, line 9, by striking out the following: six hundred dollars ($600); and inserting in lieu thereof the following: eight hundred dollars ($800); Amend Section 2 (Subsection (6) of Section 1241) page 21, line 6, by striking out the word "as"; Amend Section 2 (Subsection (6) of Section 1241) page 21, line 7, by striking out the following: follows (1) divide; and inserting in lieu thereof the following: by dividing; Amend Section 2 (Subsection (6) of Section 1241) page 21, line 8, by striking out the following: in a public high; Amend Section 2 (Subsection (6) of Section 1241) page 21, line 9, by striking out the word "school" at the beginning of the line and by striking out the following: (2) divided by; Amend Section 2 (Subsection (6) of Section 1241) page 21, by striking out all of the words in lines 10, 11, 12, 13, 14, 15, and 16, and by striking out in line 17 the words "pupil-teacher ratio of the district"; Amend Section 2 (Section 1242) page 22, line 24, by striking out the words "six hundred dollars ($600)" and by inserting in lieu thereof the words "eight hundred dollars ($800)"; Amend Section 8, page 42, line 15, by striking out the word "eleven"; Amend Section 9, page 44, line 3, after the word "district" by striking out the words "of the"; Amend Section 9, page 44, line 4, by striking out the words "third and fourth class".

On the question,

Will the Senate agree to the amendments?

Mr. CARR. Mr. President and members of the Senate, I did not expect to say a word on the floor here tonight, but I think that probably due to my efforts this evening some of the differences of opinion were resolved. I went to the representatives of the school teachers and explained to them the situation that existed with regard to the amendments proposed by Senators Wagner and Homsher, explaining to them that the Governor of this state felt that the funds were not available, if the bill were passed in the form as it came from the House, and that he would of necessity feel he would have to veto that bill.

I asked those representatives of the teachers, under those circumstances, whether they would care to take a chance of losing it all or whether they would not rather accept the bill as amended by Senators Wagner and Homsher, to which these gentlemen agreed, feeling that while they were not getting everything for which they had been fighting—I must congratulate them upon the

magnificent fight they put up in behalf of those in whom they are interested. There were men on our side who felt just as the men on the other side do, that they would like to see this bill enacted as it came from the House. Under those circumstances they felt that they were obliged to give to the school teachers of the state of Pennsylvania and to the school districts of Pennsylvania and to the school children of Pennsylvania, the best that possibly could be given to them under the circumstances. Therefore several men on this side of the aisle changed their votes. We are now in a position where we say to the school teachers of Pennsylvania, to the school districts of Pennsylvania, to the taxpayers of Pennsylvania, and to the children of Pennsylvania, we believe that we have done the best we could for you under the circumstances. We particularly point out to the taxpayers of the state of Pennsylvania that we believe it would have been essential to have raised some additional taxes, and in the raising of those taxes we do not believe the opposition would have acquiesced at all, and therefore a great deal of what has been said here tonight is just bombast and nothing else. We are talking on realities, we are not talking on dreams; we are talking about things that have to be because the circumstances are as they are, Mr. President, and for that reason I believe the members of the Senate, on this side of the aisle, and those of our members who happen to be seated on the other side, will be unanimous in voting down these additional amendments.

Mr. HOLLAND. If the Majority Leader had realized in the first few months of the session that we had a job to do, and had gotten down to the job, he would not have had to say tonight he is tired and does not want to hear any more talk.

Mr. President, I have listened with great interest to the arguments tonight. I was very much impressed with the arguments of both Senator Cox and Senator Jones. I was glad to have brought out into the open, by one of the majority members of the Senate, the fact that when this proposition of settlement was taken before the teachers who are here tonight, they were told "if you do not get this bill as it is now amended, you will not get anything." That is like going to a starving child and saying to him "here is a dirty old crust, you will have to eat it; if you do not eat it you will starve." It makes you think of going to a prize fight and seeing a man knocked out of the ring and picking up the man and saying "you put up a great fight but you got knocked out."

Much has been said about taxes. I want to point out to the teachers tonight—some of whom might have been present the other day when we tried to correct the evil in one of the statements made by the Governor, when the Governor said he would go along with the bill but it was going to mean imposing increased appropriations by future legislation and unless the members of the Legislature passed a tax bill he would not go along—I think it was Tuesday that we tried to discharge a committee from further consideration of a bill to permit the people of Pennsylvania to vote on whether or not they would adopt a graduated income tax to pay the cost of the schools and to relieve the real estate owner. The vote was 18 to 32 against that motion. We have the money; the money is here. You who have been getting calendars each day have had notice of the many appropriations we have made for historical spots in Pennsylvania, by the thousands and hundreds of thousands of dollars, and to conserve things that we like to worship of the past. I am one who likes to think of the future of Pennsylvania, of today in Pennsylvania, and I say to you it is a disgrace in Pennsylvania to say to people who have spent years and years in college getting degrees—and I might also add that all of those things are requirements that a teacher must have to teach—we in this Senate passed those requirements, we compel them to get master's degrees, as we compel them to get more education and more education, and still, when it comes to paying them for the added expense we made them spend, you teachers of Pennsylvania, spend for your education, we do not face the realities of life and give you fair value for what you have spent.

The money is here. An appropriation of around $4,000,000 was passed the other day to keep a man in a job in Pennsylvania, the Secretary of Health—exactly $3,400,000. You heard what Senator Jones has said of the moneys he pointed out were being spent. Those are the moneys that the teachers of Pennsylvania should get. When you speak of the teachers you speak of the pupils. When you see teachers leaving the schools during the last few years and going into shipbuilding yards and getting more money—think of it—getting more money as a welder than they could get by teaching school.

I want also to point out that one of the great problems the world is trying to solve is that of education. I happen to have been a member of the Allied Military Government for a year and a half in Europe. All the great educators of all the countries gathered around the table, every day in London, trying to find a way of bringing education into Germany. Examine the books that were used in Germany, Mr. President. When you consider all the organizations in America that are spending money on propaganda against foreign ideologies, all the money spent along those lines is wasted, because where the foreign ideologies are kept out of America is in the public schools of America. If the public schools of America are strong so is America strong, and you can not keep America strong when you say to a teacher she must work for $2,100 a year. A girl in an office gets more money than that, with less than a high school education.

When they say to you they do not want you to become a pressure group, I would like to point out to the teachers here the representatives of the real pressure groups of Pennsylvania—and I do not want to embarrass these men—but you will find right here in the halls of this Senate the representatives of the utilities, and, mark you, teachers, mark you, their bills are passed. You will see the representatives of the railroads and you will see here the personal representative of Joseph Pew and his oil interests, his bills are passed, and you will see the personal representative of Joe Grundy, and his bills are passed.

Mr. JAMES. Are you referring to me?

Mr. HOLLAND. Yes. If the cap fits put it on.

Mr. JAMES. I do not waste the time of the Senate like you do.

Mr. HOLLAND. This is a debatable question, whether I am wasting the time of the Senate in fighting for the schools of Pennsylvania. I say to you, Mr. James, I

am not wasting the time of the Senate because I am fighting for the people of Pennsylvania, for the kids that you are going to expect to win wars to save the system that you and I have enjoyed, if it ever happens again, and how they have fought in this war. They are products of our school system and they are the ones who are winning this war. I say to you, Mr. James, you are insulting the people of Pennsylvania when you say any man is wasting the time of the people of Pennsylvania in fighting for the school children of Pennsylvania.

Yes, you have all you want out of this treasury, all the banking bills, all the insurance bills and the manufacturer's bills and the utility bills, but there has not been one bill yet passed for the people of Pennsylvania, and it is about them I am speaking, because I am not on anybody else's payroll. I am sick and tired of having sneers made by people who represent big interests. Let me tell you, the common people of Pennsylvania are just as good as the Manufacturers Association, because they are the people of Pennsylvania, they are the people who have brought riches to Pennsylvania. And those boys and girls who have been taught in our schools are the ones who have made the wealth of Pennsylvania, because with their hands and ability they have contributed to the great success of industry in Pennsylvania.

Mr. JAMES. Mussolini has come back to us.

Mr. HOLLAND. Mr. President, I always consider the source of the wise-crackers; I always consider their source. I was with the Allied Military Government. It was in the years before the coming of Hitler. In the audience there was always a heckler, put there by Hitler, and I might also add, as a matter of record, that it was a meeting of the industrialists of Germany that made Hitler, so I consider where the heckling comes from.

We have the money and we owe it to the people of Pennsylvania to give them back their money to educate our people properly. When any member of this Senate says we do not have the money; I say we do have the money. If this session of the Legislature had passed the bill providing for a graduated income tax, and the next session would pass it, then the people of Pennsylvania would vote on it and this money question would be solved.

I say to you, you teachers of Pennsylvania who are here tonight, all their beautiful words about what they would like to give you will not buy you a cup of coffee.

Mr. WADE. Mr. President, I just want to say to these men who are members of the Senate of Pennsylvania, my colleagues, and to these fine guests we are privileged to have with us tonight, that some of the statements that have been made on the floor of this Senate have a very hollow sound.

We who are privileged to be members of this Senate, and we who are charged with the responsibility of arranging the finances of Pennsylvania, must deal in realities and not in dreams.

I say to my colleagues that Senator Cox, who talked first, and particularly Senator Holland, who has just completed his very eloquent talk, they are members of a party which has steadfastly refused—and the record will show my statement is correct—to vote for one revenue raising measure, on the other side of the Senate, and I challenge them to take the microphone and tell me and my colleagues one revenue measure they have voted for, as a group or individually, and when they take the floor of this Senate and say these things to our fine guests, whose contributions to the building and re-building of Pennsylvania can not be measured in dollars, I say they are speaking through a hollow tube.

I also want to say, Mr. President, I should like to commend by colleague from Allegheny, Senator Geltz, who, I know, has had a very strenuous battle with this matter, because he was fighting for his convictions, and because he was fighting for his constituency back home, and because he was fighting for the things they want. His position in this Senate of Pennsylvania, I might say to our guests, is that of Chairman of the Senate Committee on Finance. He has had prepared, as he said, amendments that proposed to return House Bill 568 to the state in which it came to the Senate and he intended, if any way was found, as he so eloquently said a few minutes ago, to offer those amendments, if some method could be found to finance the problem in that manner, Mr. President, but as he also said, he had consulted with some of his constituents who are here and they had agreed with the knowledge that he had, that this was the finest bill and the finest contribution we could make to this great group to which we are so indebted.

I should like, however, instead of dwelling on things like that, to avoid any further conversation, except to remind my colleague on the other side that when he talks about bridges and when he talks about things that are not related, which are in a different fund entirely than that which he talked about, that he should become better acquainted with the facts, because they are actually different problems.

I should like to again say—and perhaps I should not—to the gentleman from Allegheny, Senator Holland, for whom I must say I have a great deal of admiration, that when he talks about these great industries of Pennsylvania, and particularly mentions the insurance business, and says about those persons that we have legislated for them, let me remind him that we levied taxes of some $16,586,000 against them and that we returned to the Insurance Department, for the administration of that business as far as the state is concerned, $560,000 a biennium.

Just let me in conclusion, Mr. President, and my colleagues, give you some figures on the cost of education in Pennsylvania. We have heard the statement made on the floor of the Senate about Pennsylvania standing fifteenth, sixteenth or seventeenth, or whatever it may be, amongst the states but, Mr. President, no standard or meausre has been given to you, no standard as to what the sixteenth or seventeenth stands for, first, the number of school pupils, or the amount of money spent for education, or the amount of money the state of Pennyslvania contributes.

Just let me give you these figures. If we enact House Bill 568, as it is now amended, it will require appropriations of $137,000,000 a biennium.

Recommended for the 1945-47 bienium we find appropriations listed to the fine universities of Pennsylvania, Pennsylvania State College, the University of Pennsylvania, the University of Pittsburgh, Lincoln University, Temple University, and others, approxixmately $12,000,000; to state teachers' colleges, the Soldiers' Orphans School, Thaddeus Stevens Industrial School and others, approxi-

mately $5,000,000 for the biennium; and to other educational institutions such as the National Farm School, the Franklin Institute, the Downingtown Industrial and Agricultural School, the sum of $440,000 is appropriated for the biennium; for special education for the deaf and blind the sum of $1,400,000 is appropriated; for administration of the Department of Public Instruction the sum of $2,000,000 is appropriated; and for the retirement of teachers we say to them that we will match their savings and that we will provide a method so that in their declining years they will be independent, for which the sum of $5,000,000 is provided for the biennium.

Those appropriations total, ladies and gentlemen some $166,000,000.

In addition there appears on page 4 of today's calendar House Bill No. 171, a bill which provides for complete medical and dental examination of our children and teachers of Pennsylvania, which requires an additional appropriation of $4,700,000. The total without that, however, is approximately $166,000,000.

The total general funds available for this biennium, according to the summary of the budget as presented to us by the Governor of Pennsylvania, will amount to $366,000,000. Therefore, I submit to you, 45 cents out of every dollar coming into the general fund of Pennsylvania will go for this very worthy purpose, the education and support of our school system.

Mr. President, we have heard remarks made concerning the cost of education in other states. Some one cited the state of Mississippi, which has a population of approximately 2,200,000 people. The cost of running their school system is about $16,000,000 a biennium. Pennsylvania has four and a half times that many people; Pennsylvania returns to its school system ten times as much money.

I could go on further, Mr. President and my colleagues, and tell you that during the administrations of Governor Earle, in both the first biennium and second biennium of his terms of office, the amount of money returned then for the purposes of education was just about one-half of our current appropriation for that purpose.

I am sure our visitors who are present want to see this picture exactly as it is and I say to them, and to all my colleagues on both sides of the Senate, and I say it in the most friendly spirit, that we have labored long and hard, and we have endeavored to put you in a position to furnish the finest kind of training to these boys and girls who will build and rebuild the Pennsylvania and the America of tomorrow.

Mr. DENT. Mr. President, I am not going to try to engage in these deliberations other than to correct the statement made by the gentleman on the other side. when he said this side of the Senate has refused to vote for the revenue bills that would be necessary to increase salaries of school teachers, plus increased school costs; if he will go back a little he will find that to every revenue bill that was presented to this Senate we offered amendments, to try to attach to those bills a specific clause that would apply returns from the taxes for school purposes.

The revenue bills now upon the statute books were originally sponsored and passed by the Democratic administration for emergency purposes. That emergency has long since passed; it is no longer with us. The tax bills that have been passed in this session of the Legislature allow us to create a greater surplus than we need in the Commonwealth. We tried to earmark the funds from these taxes for school purposes. If we would have succeeded in our efforts you would have no trouble whatsoever in passing the original House Bill 568 or the Hare-Lee bill, even in its original form as introduced in the House.

Mr. WADE. Mr. President, may I remind my colleagues, and those who are our guests this evening that my colleague on the other side, Senator Dent, for whom I have the greatest admiration, steadfastly refuses to state that he voted for one single revenue raising measure. He did say, however, that they attempted to introduce amendments, but it is very easy, I remind those present, to try to emasculate a bill, try to change a bill, use it is an excuse, but the fact remains, Mr. President, he did not vote for one single revenue raising measure, and I challenge him to name the number of a revenue raising bill that he voted for.

Mr. DENT. I accept that challenge, Mr. President, because we still reiterate the position we then took upon the floor of the Senate, that there is no need for the passage of any of the revenue bills, if you are not going to earmark them for specific purposes, you are merely increasing the surplus fund you now have in the Commonwealth of Pennsylvania. You can meet every requirement of ordinary government through measures already upon the statue books. We need no new revenues today to do anything in the Commonwealth of Pennsylvania, unless you are going to provide increased school benefits.

Mr. COLEMAN. Mr. President and members of the Senate, ordinarily I am much too smart a fellow, at this stage of the game, to try to convince anybody with a speech, however logical, because of the fact that most of us are wearied, a bit befuddled, perhaps, because of our assiduous application to the important problems that are facing the people in the Commonwealth of Pennsylvania, but I would be false to my real emotions if I did not express my thanks and appreciation of the very able presentation of the Minority Party's position on House Bill No. 568, so brilliantly handled by the gentleman from Allegheny, Senator Cox. For brilliancy of language, profundity of thought, sincerity of purpose, his speech in my judgment has no parallel in the ten year history of the General Assembly since I have been a member.

It has always been my good fortune, in the ten years that I have served in the House and the Senate, to have been a member of the Committee on Education, and I have followed very closely the problems of education as they were presented to us in the various sessions of the General Assembly.

The Democratic Party felt, while equalization of educational opportunity in the Commonwealth of Pennsylvania pre-supposes employment of teachers with comparable qualifications, that there was a wide gap in the salary of an elementary teacher in a fourth-class district as compared with a first-class district, and in order to adjust that inequality we proposed in the 1937 session of the General Assembly a graduated income tax and the revenue derived therefrom was to be earmarked to increase the salaries of teachers in fourth-class school districts.

I have heard much about the budget and the amount

of money spent. In the ten years I have been studying government in the greatest school of government in America, the General Assembly of Pennsylvania, it has been my observation that men charged with the responsibility of estimating the tax yield underestimated, on the theory, I assume, that it is better to wind up with a surplus than with a deficit. That may or may not be good business sense, but we on the minority side have noted serious inaccuracies. I can recall the Governor's estimate of the corporate net income tax where, according to him and his budget advisors, it would net in the biennium $58,000,000, and then later on he made a better estimate and stepped it up to $63,000,000, when in reality the tax yielded $123,000,000.

I heard in the beginning of the session some reference to the fact that this tremendous surplus that is available, and which came as a result of an increase in taxes, was largely due to the economical administration of the government of the Commonwealth of Pennsylvania.

I served as a member of a commission with Senator Ruth, Senator Wagner, Senator Becker, and other members of the General Assembly, studying the problem of the school system in the Commonwealth of Pennsylvania. I remember being in the office of the Governor, as a member of that commission, and saying to the Governor "I imagine every one of your department heads has asked you to increase his budgetary allowance and I assume all of them have given arguments that have been logical and convincing, but what more convincing argument could you have than an investment in the youth of the Commonwealth of Pennsylvania, in the young men and in the young women of today, who are the builders of the world and the insurers of civilization tomorrow." And I remember the Governor saying to me, like Congressman Rich's stock query in the National Congress, "Well, Senator, where is the money coming from?"

I mentioned that the cigarette tax would yield some $23,000,000 or $24,000,000, the liquor tax and other taxes would yield another $25,000,000 or $26,000,000—I may be somewhat off in my figures—but the Governor said "We have other plans."

And now in the dying hours of the session we find, as Senator Jones so ably said, that $10,000,000 of this money will be used to de-silt the Schuylkill River; for the past two weeks every day we have been passing appropriation bills, $2,000,000 for the Pennsylvania Maritime Academy, and many other things, including lump sums to various departments. I remember in our bi-partisan conferences the Minority Floor Leader saying to the Governor, on the question of education, "Governor, we can give to the people in the Commonwealth of Pennsylvania an education system only on the basis of the money you are willing to spend."

Repeatedly the assertion has been made by legislative and administrative leaders that the money was not available. We find, notwithstanding this assertion by responsible spokesmen for the administration, that they found some $24,000,000 above and beyond the cost of living bonus for the school teachers; we find, notwithstanding the fact a week ago the Governor said "If the bill is increased, you have got to raise the revenue," and yet we find that the amendments inserted by the Majority Party in the Senate tonight add some $6,000,000, and so I say to you this budget has been pretty flexible.

Our party has always felt the school teachers in the Commonwealth of Pennsylvania have been grossly underpaid. They certainly are not paid commensurate with the services they render to this particular state. I could not sit idly by and listen to the gentleman from Cumberland trying to convince the members of the Senate, as well as the people who are assembled here, and who have a personal and a particular interest in this bill, that the Minority Party in this Senate lacked sincerity.

There has not been any question of doubt about our position on this particular bill and I believe, I know, that what was inserted in the bill tonight by the majority leadership came as a result, if you will, of the militant minority in this particular branch of the General Assembly.

Mr. WOODWARD. There was a time, when I listened to the Senator from Lackawanna, Mr. Coleman, that I regretted deeply that he had not been elected Mayor of Scranton, but now recently, as I have listened to the eulogies pronounced by the Senator from Lackawanna on his fellow Senators, I would like to state I hope to be re-elected until I die, but I would like to engage the Senator from Lackawanna to pronounce my eulogy at my memorial meeting.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. COX, and were as follows, viz:

YEAS—20

Barr,	Gourley,	Klein,	Rosenfeld,
Coleman,	Haluska,	Leader,	Ruth,
Cox,	Holland,	Margie,	Stiefel,
Dent,	Jaspan,	McCreesh,	Troutman,
DiSilvestro,	Jones,	McGinnis,	Woodring,

NAYS—29

Becker,	Ealy,	Letzler,	Thomas,
Berger,	Farrell,	Mallery,	Tyler,
Blass,	Geltz,	Scarlett,	Wade,
Bowers,	Heyburn,	Snowden,	Wagner,
Carr,	Homsher,	Stevenson,	Walker,
Chapman,	James,	Tallman,	Wilson,
Crider,	Kephart,	Taylor,	Woodward,
Crowe,			

So the question was determined in the negative.

On the question,

Will the Senate agree to the bill on second reading, as amended by Mr. Wagner?

Mr. ROSENFELD. I would like to make just one observation at this time. I have refrained from entering the debate on this bill, which was very enlightening, but I would like the record to show that 219 members of the General Assembly, in both the House and the Senate, were ready and willing to vote for House Bill 568, in effect as it passed the House, as against 29 who did not.

We have heard in the last thirteen years about the executive down in Washington trying to dictate to Congress, and I think this is a clear indication of the executive in this Commonwealth tryng to dictate to the General Assembly.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended by Mr. Wagner?

It was agreed to.

Ordered, To be transcribed for a third reading.

The PRESIDING OFFICER (John M. Walker) in the Chair.

HOUSE BILL No. 255 CALLED UP

Mr. BARR. Mr. President, I would like to call up for consideration at this time, House Bill No. 255, appearing on page 19 of the Calendar.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Municipal Government, reported as amended, House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 724, entitled:

An Act to amend section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associaitons or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License fund for the purposes of this act" requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class.

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. THOMAS, from the Committee on Mines and Mining, reported as committed, House Bill No. 1120, entitled:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations reported as committed, House Bill No. 610, entitled:

An Act making an appropriation to the Department of Public Instruction for the purchase of large type books for partially sighted children

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County, the Admiral Peary Memorial Park in Cresson Township, Cambria County; restricting the use thereof, and making an appropriation to said commission for the improvement of said park.

Which was committed to the Committee on State Government.

House Bill No. 583, entitled:

An Act to amend paragraph (d) of section four hundred and nine of the Public Utility Law (Act of May 28, 1937, P. L. 1053), entitled "Public Utility Law," by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions, municipalities, corporations, utilities, persons and governmental agences, concerned in the said crossing improvement.

Which was committed to the Committee on Public Utilities.

House Bill No. 894, entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "Vocational Education

Law," further regulating State reimbursements to school districts for vocational education.

Which was committed to the Committee on Education.

CALENDAR

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 578, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," changing the conditions to borrow money for current expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 585, entitled:

An Act to amend the title and sections one and two of the act approved the twelfth day day of June one thousand nine hundred nineteen (P. L. 476) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" by making the act applicable to counties of the second class and changing and further fixing such fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 587, entitled:

An Act to amend section one hundred forty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 602, entitled:

An Act to further amend section one of an act approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 607, on second reading, entitled:

An Act to amend section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Register of Wills

be recommitted to the Committee on County Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that House Bill No. 608, on second reading, entitled:

An Act to further amend section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of the Clerks of Orphans' Court be recommitted to the Committee on County Government.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDING OFFICER. Will the gentleman from Delaware permit himself to be interrogated.

Mr. HEYBURN. I will, Mr. President.

Mr. COX. Will the gentleman from Delaware tell me if it is intended to send all of the fee bills back to committee.

Mr. HEYBURN. We are sending back to committee all of the bills we do not think are necessary but I can not make any blanket statement as to the entire calendar.

Mr. COX. I would request, Mr. President, that when you come to any of the fee bills that the Chair proceed

slowly so that we can keep track of them before final action is taken.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 633, entitled:

An Act to add section 1402.1 and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of tax money through no fault of his own

The first and second sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment.

Amend title, Page 1 by striking out after the word "office" in the third line from the bottom of said title and beginning with the word "and" all of the remainder of the title to the end thereof.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration House Bill No. 636, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers property and duties; transferring certain powers, duties and employes from the Department of Public Instruction to the said commission; abolishing the Pennsylvania Historical Commission and making available to the commission moneys appropriated or allocated to or for the use of the Pennsylvania Historical Commission the State Museum and the Archives division of the State Library.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 658, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting federated women's clubs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 675, entitled:

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administra-

tors therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration House Bill No. 681, entitled:

An Act to further amend section one of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" extending the probationing powers of courts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 690, entitled:

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing precedure" empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 714, entitled:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including costs of registers' bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 715, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possesion or enjoyment at or after death changing the provisions for rate of tax debts and deductions the computation of tax on life estate or estates for years the assessment of tax on future estates the lien of taxes and commissions to be retained by registers of wills

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Section 2, subsection (e), page 6, line 24 by striking out the words "in trust for or payable on death"; Amend Section 2, subsection (e), page 6, line 25 by striking out the words "to another or"; Amend Section 2, subsection (e), page 7, line 2 by striking out the light faced bracket before the word "act" and inserting after the word "act" and before the word "of" a light faced bracket as follows: [; Amend Section 2, subsection (e), page 8, line 1 by striking out the words "in trust for or payable"; Amend Section 2, subsection (e), page 8, line 2 by striking out the words "on death to another or".

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 716, entitled:

An Act to further amend sections one and eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 722, entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and fifteen (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" by extending said act to counties of the second class changing and further fixing the fees to be charged by said prothonotary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 754, on second reading, entitled:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violation of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 780, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 782, entitled:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third and fourth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 828, entitled:

An Act to further amend section two and to amend sections three and four of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" further regulating the returns of taxable property made by taxpayers under the provisions of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of member.

The first section was read and agreed to.

The second section was read,

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Section 2, page 9, line 17, by striking out after the word "Governor" the words "from a list of not more than ten persons", all of lines 18, 19, 20, 21, and 22, and inserting in lieu thereof the following: "and the Pennsylvania Real Estate Association may submit a list of persons qualified as aforesaid, for the Governor's consideration, but the Governor may appoint any person qualified as aforesaid without restriction."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE APPOINTS COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

The Clerk of the House of Representatives being introduced, informed the Senate that the House has appointed Messrs. SORG, BOWERS and CHUDOFF, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 856, entitled:

An Act to amend section one of the act approved the twenty-sixth day of March, one thousand nine hundred thirty-one (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class, "by changing the fees to be allowed the said district attorney.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 870, entitled:

An Act to further amend section fifteen and to add section fifteen and one-tenth to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and to the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals under supervision of the courts of common pleas

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section and making such further limitation retroactive.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons cooperative agricultural associations having capital stock State and County officers boards and departments and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal caims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" by further providing for the distribution of the proceeds of such reconveyance or sale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 881, entitled:

An Act requiring boards of prison inspectors in counties of the fourth class, to pay the premium on all bonds required of employes appointed by the board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 888, entitled:

An Act to add section one thousand four hundred forty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" establishing maximum term contracts for transportation of pupils and requiring a bond for the faithful performance of such contracts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 890, entitled:

An Act to further amend section two thousand six hundred there of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which ti shall be administered, and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the second third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city borough town or township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 892, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their power and duties conferring certain powers and duties on the Department of Banking and providing penalties" by further defining the membership of credit unions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 901, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 956, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Section 1, page 5 by inserting after line 12 the following:

Blairsville Borough

Route 32005. Extending Route 32005. Beginning at a point on the Blairsville Borough-Burrell Township line. thence in a northwesterly direction on South Liberty Street to an intersection with Main Street, thence over Main and Walnut Streets to Route 223, at [West] Market and [South Liberty] Walnut Streets, in the borough of Blairsville, Indiana County, a distance of about [.45] 0.60 of a mile.

Big Run Borough

[Route 847. Extending Route 847.—

on the Henderson Township—Big Run Borough line; thence southwesterly on Caroline Street to an intersection with Route 189, at Caroline and Main Street, in the Borough of Big Run, Jefferson County, a distance of about 0.23 of a mile.]

Sykesville Borough

[Route 33075. Extending Route 33075.—Beginning at a point on the Winslow Township-Sykesville Borough line; thence over a borough street to a point on Route 338, at Main Street, in the borough of Sykesville, in Jefferson County, a distance of about 0.4 of a mile.]

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Section 2, Page 6, by inserting after line 29, the following:

ALLEGHENY COUNTY

Castle Shannon Borough

Route 02235. Extending Route 02235. Beginning at a point on the Castle Shannon Borough-Mt. Lebanon Township line; thence over Castle Shannon Road to a point on Route 247, in Castle Shannon Borough Allegheny County, a distance of about 0.5 of a mile.

Oakmont Borough

Beginning at a point on Route 02196 at Oakmont Avenue and Plum Street and extending in a northerly direction on Oakmont Avenue to the Plum Township line in the Borough of Oakmont, Allegheny County, a distance of about 0.6 of a mile.

Beginning at the end of the Hulton Bridge, thence over Hulton Road to the Plum Township line in the Borough of Oakmont, Allegheny County, a distance of about 0.5 of a mile.

Amend Section 2, page 11, by inserting after line 14 the following:

JEFFERSON COUNTY

Falls Creek Borough

Route 33085. Extending Route 33085. Beginning at a point on the western Falls Creek Borough line; thence easterly over Fuller Avenue to Route 650 Spur at Third Street, in Falls Creek Borough, Jefferson County, a distance of about 0.5 of a mile.

They were agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 957, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Section 1, Page 32, by inserting after line 10 the following:

Route 33064. Beginning at a point on [Route 59 in the village of Harvey's Run; thence northwesterly through Washington Township crossing] Route 33038, about 1.0 mile south of Beechtree; thence southwesterly and westerly in Washington Township to an intersection with Route 33029, about 0.5 of a mile south of Coal Glen, in Jefferson County, a distance of about [4.5] 2.0 miles.

[Route 33075. Beginning at a point on Route 33051 about 0.5 of a mile north of Route 33040, thence in an easterly and southeasterly direction through Winslow Township to the Sykesville Borough line, in Jefferson County, a distance of about 1.6 miles.]

[Route 33084. Bebinning at a point on Route 33033 about 0.5 of a mile west of the Clearfield County line; thence in a northerly direction through Henderson Township to the Sykesville Borough line, in Jefferson County, a distance of about 0.7 of a mile.]

Amend Section 1, Page 36, by deleting all of lines 13 to 17 inclusive.

Amend Section 1, Page 44 by inserting after line 2 the following:

Route 53073. Beginning at a point of road intersection 17 about .25 of a mile north of the point of intersection of Cass New Castle and Norwegian Township lines in Cass Township thence [northeasterly through Cass and New Castle Townships] to a point near a railroad crossing thence over a right-of-way to be dedicated for highway purposes thence to a point where it intersects Route 53032 at Wade in Schuylkill County a distance of about 1.6 miles.

Amend Section 1, Page 47 by inserting after line 12 the following:

Route 57126. Beginning at a point on Route 57025 about 1.0 mile south of Tiffany; thence southeasterly through Bridge Water Township to a point on Route 174; thence southeasterly through Bridgewater and Brooklyn Townships to Route 57027, about 1 mile north of Route 174, in Susqehanna County, a distance of about [0.8 of a mile] 3.2 miles.

Amend Section 1, page 49, by inserting after line 14 the following:

Route 59011. Beginning at a point on Route 59005 about 0.75 of a mile east of White Springs; thence southerly through Limestone Township to the north bank of Penn Creek; thence easterly along the north bank of Penn Creek to an intersection with State Highway Route [26 at the Snyder County line] 27 about 1.5 miles west of New

Berlin; in Union County, a distance of about [1.8] 3.9 miles.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Section 2, page 54 by inserting after 24 the following:

Allegheny County

Route 02234. Beginning at a point on the Stoops Ferry and Shouse-Town County Road in Wireton; thense southerly and westerly in Crescent Township to a point on the Beaver County line, in Allegheny County, a distance of' about 1.25 miles.

Route 02235. Beginning at a point on the northwest line of Castle Shannon Borough; thence northwesterly in Mt. Lebanon Township on Castle Shannon Boulevard to a point on Route 806; thence northwesterly in Mt. Lebanon and Scott Township on Cochran Road to a point on Route 802, in Allegheny County, a distance of about 3 miles.

Amend Section 2, page 65, by inserting after line 20 the following:

Route 30123. Beginning at a point on Route 30076 about 0.7 of a mile northeast of Rameys Crossroads; thence northwesterly in Monongahela Township to a point on Route 451 about one mile north of Sigsbee, in Greene County, a distance of about 2.5 miles.

Amend Section 2, Page 66 by inserting after line 20 the following:

Jefferson County

Route 33085. Beginning at a point on the Western line of Falls Creek Borough at Fuller Avenue; thence westerly and northwesterly in Washington Township to a point on Route 33029 near Kyle Run, in Jefferson County, a distance of about 3.3 miles.

Route 33086. Beginning at a point on Route 33039 at Wishaw; thence northerly in Winslow Township to a point on Route 358 south of Jenks School, in Jefferson County, a distance of about 2.5 miles.

Route 33087. Beginning at a point on Route 358 about 1.2 miles north of Punxsutawney; thence northeasterly and easterly in Bell Township to a point on Route 33036 near Trout Run School, in Jefferson County, a distance of about 2.6 miles.

Route 33088. Beginning at a point on Route 189 near Rikers; thence southeasterly in Bell Township, to a point on Route 436 west of the Cloe M. E. Church, in Jefferson County, a distance of about 1.9 miles.

Amend Section 2, page 70 by inserting after line 2 the following:

Route 41141. Beginning at a point on Route 41123 about 0.3 of a mile northwest of Application 12, thence westerly in Loyalsock Township to Ohev Sholem Cemetery in Lycoming County, a distance of about 0.1 of a mile.

Amend Section 2, Page 73 by inserting after line 17, the following:

Route 53112. Beginning on Route 53063 about 0.5 of a mile north of the Lehigh Valley Railroad; thence northwesterly through Mahanoy, East Union and Union Townships to Route 53042 about 1.0 mile east of Krebs, in Schuylkill County, a distance of about 2.5 miles.

Amend Section 2, Page 75 by inserting after line 5, the following:

Route 57138. Beginning at a point on Route 57080 just east of the Forest Lake Township line; thence northeasterly in Bridgewater Township to Route 842 just south of the Silver Lake Township line, in Susquehanna County, a distance of about 1.6 miles.

Route 57139. Beginning at a point on Route 57044 about 0.3 of a mile northeast of its intersection with Route 57045; thence northwesterly and northeasterly through Clifford and Gibson Township, via Palma; to Route 945, about 0.3 of a mile southeast of Route 365, in Susquehanna County, a distance of about 5.50 miles.

Route 57140. Beginning at a point on Route 57122 about 0.60 of a mile southeast of its intersection with Route 57034; thence easterly, northeasterly and southeasterly in Lenox Township, to Route 57035 about 0.3 of a mile south of its intersection with Route 941, in Susquehanna County, a distance of about 1.5 miles.

Route 57141. Beginning at a point on Route 57095 near the Dimock Township line; thence southeasterly in Brooklyn Township, to Route 57020 just north of the Lathrop Township line, in Susquehanna County, a distance of about 0.5 of a mile.

Route 57142. Beginning at a point on Route 57108 about 0.25 of a mile west of Route 939; thence southwesterly in Brooklyn Township to Route 57095, about 1.5 miles west of Route 939, in Susquehanna County, a distance of about 0.9 of a mile.

Route 57143. Beginning on Route 9-Spur about 0.5 of a mile north of the Latrop Township line; thence in a northeasterly and northwesterly direction in Brooklyn Township to Route 944, in Susquehanna County, a distance of about 2 miles.

Route 57144. Beginning at a point on Route 57135, about 1.6 miles southwest of Route 174; thence southwesterly in Lenox Township to Route 57036 in Susquehanna County a distance of about 0.6 of a mile.

They were agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class and second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assesmsent shall be made upon the Commonwealth in the elmination of any grade crossing thereon authorizing cities persons asociations or

corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indetedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 959, entitled:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 986, entitled:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Educa-

ion authorizing coperation with other departments and agencies and reciprocal agreements with other States requiring cooperation with the Federal Government making he State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activities by persons engaged in the administration of vocational rehabilitation and prescribing penalties

And said bill having been read at length the second time nd agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1011, entitled:

An Act to amend the act approved the first day of July ne thousand nine hundred thirty-seven (P. L. 2687) entitled "An act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into ontract with persons firms or corporations to erect office uildings and to lease such office buildings for the use of he Commonwealth the same to become the property of the Commonwealth upon termination of said lease" removing he authorization to contract for the erection of buildings

And said bill having been read at length the second time nd agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1088, entitled:

An Act to amend section six hundred two point one, f article six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), ntitled "An act to establish a public school system in he Commonwealth of Pennsylvania, together with the rovisions by which it shall be administered, and prescribing penalties for the violation thereof; providing evenue to establish and maintain the same, and the nethod of collecting such revenue; and repealing all aws, general, special or local, or any parts thereof, that re or may be inconsistent therewith," by further regulating the sale of land or any interest therein.

And said bill having been read at length the second time nd agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1089, entitled:

An Act making real estate owned by the Commonealth or any agency thereof subject to local taxes in rtain cases and providing for the payment of such taxes the Commonwealth or the agency thereof

And said bill having been read at length the second me and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing stock and mutual life insurance companies to invest in city housing projects in redevelopment areas as herein defined either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1131, entitled:

An Act to authorize the State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 of and to add section 21.1 to the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation" by substituting the Department of Commerce

for the Department of Health eliminating the honorarium for members of the board requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director enlarging the board's general powers and the plans to be filed therewith rescinding the provisions for selection and removal of the board's employes to transfer the board from the Department of Health to the Department of Commerce and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. JASPAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDIING OFFICER. Is there objection? The Chair hears none.

Mr. JASPAN from the Committee on Public Utilities, reported as committed, House Bill No. 583, entitled:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28, 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporatons companes assocations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and labilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the constructon or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement.

Mr. TALLMAN. Mr. President, I ask unanimous consnt to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN from the Committee on State Government, reported as committed, House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriatoin to said commission for the improvement of said park.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOMSHER from the Committee on Education, reported as committed, House Bill No. 300, entitled:

An Act to amend section eight hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" by allowing members of county board of school directors expenses for attendance at meetings.

He also, from the Committee on Education, reported as committed, House Bill No. 894, entitled:

An Act to further amend section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" further regulating State reimbursements to school districts for vocational education.

CALENDAR

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that House Bill No. 1133, on second reading, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property

by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1135, entitled:

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1141, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Commission, instead of the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1184, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for assisted providing for the support of such persons by certain relative and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by giving jurisdiction to the Municipal Court of Philadelphia county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 11, by inserting after the word "solids" and frozen fluid products.

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections and title were read and agreed to.

On the question,

Will the Senate agree to the bill on second reading?

REQUEST THAT BILL GO OVER IN ORDER

Mr. GOURLEY. Mr. President, I ask unanimous consent that House Bill No. 1189, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. TALLMAN. Mr. President, I object.

The PRESIDING OFFICER. There is objection.

And the question recurring,

Will the Senate agree to the bill on second reading.

Mr. GOURLEY. Mr. President and members of the Senate, this bill provides that "no retailer shall be prosecuted for having in his possession or offering for sale any article of merchandise which he has puhchased in good faith for resale and which is packed in sealed, unbroken and undamaged original packages or containers because of a shortage in weight as marked thereon."

The bill also has a provision in it which sets forth what the requirements are for the various items of merchandise which it is intended that this bill shall control. It also has a provision that any person who is found to violate this act is guilty of a summary offense and on conviction for the first offense will be sentenced to pay a fine of not less than $25 nor more than $50 and in default of payment of the fine and costs shall undergo imprisonment for ten days.

Under the provisions of this bill, if any retailer would purchase merchandise from a wholesaler or any other person outside of the county from where the retailer conducts his business, and the sealer of weights and measures in any county of this state would find that the receptacle or the container did not correspond with the

weight that appeared on the receptacle or container, there would be no one to prosecute.

In other words, retail merchants such as the Atlantic and Pacific Tea Company purchase their merchandise by bulk from wholesalers or persons outside of the respective towns or counties where they do business, and if the people of Pennsylvania go into that store and purchase merchandise and the receptacle or container is found to not correspond with the weight or the ounces which might be printed on the receptacle or container, there is no one to prosecute, and the purposes of the bill would fail. There is no use having a penal provision in this bill if it is not possible to prosecute an individual who violates the law.

I therefore have prepared amendments which would provide that the retailer is freed or relieved of prosecution where the retailer purchases his merchandise from a wholesaler or person doing business in the county where the retailer has his place of business.

In other words, if I buy my merchandise as a retail merchant from a wholesaler or person in Dauphin county and it is found that the merchandise which I purchase does not correspond with the weight on the receptacle or the container, then the retailer is freed from prosecution, but if I buy my merchandise from a wholesaler in Allegheny county and it is found that the receptacle or container is not as marked, then I believe, with the utmost sincerity, gentlemen, that provision should exist in law to prosecute that retailer.

And the question recurring,

Will the Senate agree to the bill on second reading as amended?

Mr. GOURLEY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 10 (Sec. 9) page 12, line 20 by inserting after the word "purchased" the following: from any wholesaler or person having a place of business in the county where the merchandise has been purchased.

On the question,

Will the Senate agree to the amendment?

Mr. GOURLEY. We know from our experience as lawyers, if an offense is committed in Dauphin county by a retailer, and he purchases his merchandise from a wholesaler in Allegheny county, we know that the courts of Dauphin county have no jurisdiction to issue a warrant for the arrest of the wholesaler in Allegheny county who sends into this county merchandise that does not correspond with the provisions of this law.

I realize the hour is late and time flies but, gentlemen, this is important. There is no reason for having penal provisions in this bill, in which you subject a man to prosecution and penalty of a fine, when you have no one to prosecute.

The reason I asked that this bill go over in its order was so that I could talk with Senator Becker, who has a very able rating as a lawyer, Senator Geltz, Senator Kephart and Senator Tallman, the lawyers on the Republican side, because I wanted to try to reason this out with them, as the bill is no good as it is now drawn.

Mr. TALLMAN. Mr. President, I ask my colleagues to vote down the amendments offered by the gentleman from Washington. I merely want to say this about it, that the whole purpose of this bill would be destroyed if these amendments were adopted. The purpose to be served is to protect the retailer who is receiving goods from a manufacturer in a package over which he has no control.

For that reason I request that my colleagues vote the amendments down.

Mr. GOURLEY. Mr. President, I desire to interrogate the gentleman from Lehigh.

The PRESIDING OFFICER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. GOURLEY. Mr. President, if you are conducting a grocery store in Dauphin county and you purchase your merchandise from a wholesaler in Allegheny county and on your shelves there will be found receptacles or containers that do not correspond with the weight that appears on the receptacle or container, who will be prosecuted.

Mr. TALLMAN. As I understand, under the circumstances set forth by the gentleman from Washington, a retailer in that situation would be excused and the manufacturer would be liable for having violated the provisions of this law.

Mr. GOURLEY. Mr. President, may I further interrogate the gentleman from Lehigh.

The PRESIDING OFFICER. Will the gentleman from Lehigh permit himself to be further interrogated.

Mr. TALLMAN. I will, Mr. President.

Mr. GOURLEY. Mr. President, how could information be lodged against a wholesaler in Allegheny County, when he has no place of business in Dauphin County, or how could the court gain jurisdiction.

Mr. TALLMAN. Mr. President, I am perfectly willing to be interrogated about this bill. I think the fun has now reached the stage where it is not funny, but I would like to suggest to the gentleman from Washington that it is my opinion in a case, such as he cites, that the violation was one by the manufacturer and if his place of business is located in the county suggested, which is Allegheny County, it is my opinion that he would be liable to prosecution there, and that the prosecution could be brought in that county because the violation occurred there.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on second reading, as amended by Mr. Tallman?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1194, entitled:

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain

real estate in, and an endowment fund for, the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land, located in Ephrata, Lancaster County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1199, entitled:

An Act to further amend section four hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the preservation of certain records.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement development and maintenance of the plot of ground in the City of Erie Pennsylvania acquired for the location of the Flagship Niagara.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1234, entitled:

An Act to further amend sections one and ten of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1235, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1267, entitled:

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activity" by extending the time in which the development of projects may be initiated thereunder.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1271, entitled:

An Act authorizing the laying out opening construction and maintenance of a State highway route in the County of Juniata and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1279, entitled:

An Act to repeal the act approved the tenth day of April one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act to further amend the title and section three of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as last amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attedance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain adidtional taxes for general revenue purposes and for the reduction of taxes on real estate authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE BILL No. 1133 CALLED UP

Mr. HEYBURN. Mr. President, on page 45 of today's Calendar. I call up House Bill No. 1133, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 531 CALLED UP

Mr. BARR. Mr. President, I desire to call up for consideration at this time, from page 6 of today's Calendar, Senate Bill No. 531.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 531, as follows:

An Act to further amend section five hundred two and section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the County Planning Commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred two and section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2124) are hereby further amended to read as follows

Section 502 Plans of Streets or Highways for Public Use and Public Buildings Submission of [Resolutions] Plans for Certain Improvements Reports Thereon [All resolutions of the county commisisoners] All county city except cities of the second class borough and township plans relating to the location of any public building in the county and to the location relocation extension widening enlargement altering ornamentation or parking of any street boulevard parkway wharf bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of [the county] any city except cities of the second class borough or township plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission if one has been created twenty days before [their passage and] the adoption of said plan by the county [commissioners] city except cities of the second class borough or township official The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said [commissioners] county city except cities of the second class borough or township officials If the said report is made by the commission prior to the expiration of the said twenty days the [county commissioners] said local officials may immediately proceed with the adoption of the [said resolution] plans All such reports when delivered to the [said commissioners] county city except cities of the second class borough or township officials shall be for the information of the public as well as for the [commissioners] said officials and [the commissioners]

they shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 504 Plans fo Subdivisions Jurisdiction Scope of Subdivisions Regulations Procedure Penalties The County Planning Commission shall have jurisdiction and control of the subdivision of land located within the county limits For the purpose of this section a subdivision shall be construed to be any part parcel or area of land out of which has been conveyed or transferred three or more parts thereof with appurtenant roads streets lanes alleys and ways either by lots or by metes and bounds [All plans of streets or highways for public use and all] All plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within any city except cities of the second class or borough within the said counties shall be submitted to the County Planning Commission if one has been created and approved by it before they shall be recorded And it shall not be lawful to receive or record any such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission if one has been created The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commisison shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning the maintenance or improvement of any such dedicated [lots] streets highways alleys or other portions of the same until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans maps and reports of the commission affecting such property within its jurisdiction Any owner or agent of the owner of any land located within a subdivision who sells transfers or agrees to sell any land by reference to or exhibition of or by other use of a plan of a subdivision before the same has been approved by the County Planning Commission and recorded in the office of recorder of deeds shall upon summary conviction thereof before any alderman or justice of the peace of the county forfeit and pay a penalty of not less than fifty dollars ($50.00) and not more than one hundred dollars ($100.00) and the cost of the prosecution or undergo imprisonment in the county jail of the proper county for a period of not more than thirty (30) days for each lot or parcel transferred or sold or agreed to be sold and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided Counties may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction in addition to the penalty herein provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Walker,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

HOUSE BILL No. 273 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 273, on page 20 of today's Calendar.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 273, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 563

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from Committee of Conference at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART. Mr. President, I present the report of the Committee of Conference on Senate Bill No. 563, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 563, entitled: "An act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties"

Respectfully submit the following bill as our report:

A. EVANS KEPHART,
PAUL M. CRIDER,
CARLETON T. WOODRING,
(Committee on the Part of the Senate.)

HERBERT P. SORG,
ADAM T. BOWER,
EARL CHUDOFF,
(Committee on the part of the House of Representatives.)

An Act prohibiting the sale of purplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person to sell or offer for sale any surplus properties as defined in the Federal Surplus Property Act of 1944 October third one thousand nine hundred forty-four C 479 58 Stat 765 who or which does business carries on or trades under or in any way uses in dealing with the public directly or indirectly any name which by reason of the inclusion of a word or words such as "army" "navy" "United States" "federal" "treasury" "procurement" "G I" or any others which connote the United States government or its armed forces or any of its departments or agencies has a tendency to lead the purchasing public to believe contrary to fact that the establishment at which such materials or property are offered for sale has some official relationship to the United States government or that all the articles sold or offered for sale are such surplus properties or that the articles there sold are of higher quality and lower prices than those elsewhere obtainable Provided however That this act shall not apply to any establishment or business which for five years prior to the effective date of this act has utilized any such terms as part of its trading name

Section 2 No contract to sell sale or any other arrangement concerning the disposition of any such surplus properties shall be made to any person who or which carries or trades under or in any way uses in dealing with the public or intends to use in retailing the same directly or indirectly any name which includes the words quoted or referred to in section one of this act Provided however That this section shall not apply to any establishment or business which for five years prior to the effective date of this act has utilized any such terms as a part of its trading name

Section 3 Any person who wilfuly violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five thousand dollars ($5,000) or be imprisoned for not more than one year or both in the discretion of the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

The PRESIDING OFFICER. The report will appear on tomorrow's Calendar.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 127, entitled:

An Act to further amend section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes and further regulating the burial costs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 280, entitled:

An Act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 300, entitled:

An Act to amend section eight hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" by allowing members of county board of school directors expenses for attendance at meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 496, entitled:

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for theri program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 580, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further extending the powers and duties of county commissioners or boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year or years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons asosciations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 610, entitled:

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corpoartions of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 724, entitled:

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets: providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after im-

provement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 734, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 894, entitled:

An Act to further amend section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" further regulating State reimbursements to school districts for vocational education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1120, entitled:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Friday, May 4, 1945, at 2:00 o'clock, p. m., Eastern War Time.

Mr. WILSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern War Time until Friday, May 4, 1945, at 2:00 o'clock, p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 3, 1945

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Rabbi David Wachtfogel, of Congregation B'Nai Israel, Shamokin, a guest of the Chaplain, offered the following prayer:

Our Father Who art in Heaven, we stand before Thee at this moment confessing Thy sovereignty, and reaffirming our belief that Thou art the Father of all men, the ruler of lands. We thank Thee, Almighty God, that Thou hast in Thy wisdom granted us the faculty of appreciating the values of representative government.

We invoke Thy blessing, our Father in Heaven, upon the chosen representatives of our State. Sustain them in health, grant them fortitude and vigor and glorify their endeavors with noble accomplishments. Inspire them to devote themselves unselfishly to the welfare of their constituents. Endow them with the spirit of wisdom that they make their watchword, the watchword of the State: righteousness, justice and a happy, intelligent, healthy social order.

Bless also, O Heavenly Father, the President of these United States, the Governor of our State, its people and all those who exercise rightful authority.

We beseech Thee, O God, to shield and protect our armed forces engaged in battle, in the Air, on the Oceans and on Land. May it please Thee, our Father in Heaven, to remove speedily the reign of tyranny and cruelty and to establish the Kingdom of Righteousness and Peace upon earth. Cause liberty and freedom to be proclaimed unto all the peoples of the earth.

May this be Thy will from now and for evermore. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 2, 1945.

The Clerk proceeded to read the Journal of Wednesday, May 2, 1945, when on motion of Mrs. COYLE unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. STOCKHAM for himself after 12 o'clock noon.

COMMITTEE REPORTS

Mr. GYGER from the Committee on Highways reported as committed Senate Bill No. 191, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" establishing an additional route in the city of Altoona.

Mr. WACHHAUS from the Committee on Welfare reported as committed Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance Pensions for the blind old age assistance and the State Emergency Relief Board" increasing the pension of a blind person

Mr. DAGUE from the Committee on Highways reported as committed Senate Bill No. 490, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a free bridge over the Susquehanna River from a point in the city of Harrisburg in the vicinity of Third and Forster Streets to a point in the Borough of Wormleysburg at the intersection of State Highway Routes 30 and 708 and to provide the necessary approaches thereto and making an appropriation.

Mr. McKINNEY from the Committee on Judiciary General reported as committed Senate Bill No. 599, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Mr. McKINNEY from the Committee on Judiciary General reported as committed Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign nonprofit corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Mr. FULLERTON from the Committee on Highways reported as committed Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction.

Mr. McKINNEY from the Committee on Judiciary General reported as committed Senate Bill No. 702, entitled:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the

prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such application requiring the cancellation of such application on the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

BILLS ON FIRST READING

By uanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred thirty-two (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilties of public utility companies prohibiting the opening of said streets after improvements without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" establishing an additional route in the city of Altoona.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entiled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," increasing the pension of a blind person

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a free bridge over the Susquehanna River from a point in the city of Harrisburg in the vicinity of Third and Forster Streets to a point in the Borough of Wormleysburg at the intersection of State Highways Routes 30 and 708 and to provide the necessary approaches thereto and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 599, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign nonprofit corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 702, entitled:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application on the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BIGLERVILLE HIGH SCHOOL

The SPEAKER. The Chair welcomes to the House this morning the Senior Class of the Biglerville High School, who are the guests of the gentleman from Adams, Mr. Worley.

We are happy to have you with us and hope you will come back again.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McCLESTER asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

RESOLUTION

RECALLING HOUSE BILL No. 289 FROM THE GOVERNOR

Mr. RAY L. RILEY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 3, 1945.

Resolved (if the Senate concur), that House Bill No. 89, Printer's No. 198, entitled "An act to further amend section four the act approved the first day of May one housand nine hundred thirteen (P. L. 138) entitled 'An ct defining vocational education providing for the establshment and regulation of vocational schools and proiding for State aid in the maintenance thereof and for he payment of tuition by certain school districts and eimbursement thereof by the State' by adding clause d) providing for future veterans and rehabilitation proams in public schools," be recalled from the Governor or the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

CALENDAR

The SPEAKER. The Chair would inform the Members of the House that there has been some delay on account of printing and asks unanimous consent of the House to proceed with yesterday's calendar in order to conserve time. Will the House give its unanimous consent?

Mr. ANDREWS. Mr. Speaker, we would have no objection to proceeding on the basis of particular bills. I would suggest that the Majority Leader call up a particular bill so that the House understands which bill it is. If any Member of the House objects to the consideration of that bill in the absence of the calendar the objection will be filed. Consideration will depend upon the bill.

The SPEAKER. All of these bills of course, appear on yesterday's calendar.

There being no objection the House will proceed with yesterday's calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 717, as follows:

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred two of Article III of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of com-

mon pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" therein designated as the "Business Corporation Law" is hereby amended and supplemented by adding a new subsection to be designated as (sixteen) to follow immediately subsection (fifteen) and to read as follows

(16) To make contributions out of its income in any taxable year to or for the use of

(a) the United States any State Territory or any political subdivision thereof or the District of Columbia or any possesion of the United States for exclusively public purposes or

(b) a corporation trust or community chest fund or foundation created or organized in the United States or in any possession thereof or under the laws of the United States or of any State or Territory or of the District of Columbia or of any possession of the United States organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children (but in the case of contributions to a trust chest fund or foundation payment of which is made within the taxable year of such business corporation beginning after the date of the cessation of hostilities in the present war as proclaimed by the President of the United States only if such contributions are to be used within the United States or any of its possessions exclusively for such purposes) no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation to the extent in the aggregate authorized approved or ratified by the by-laws of the corporation or by resolution of its shareholders All contributions made heretofore or at any time prior to the next annual meeting of the shareholders held after the passage of this act by authority of the board of directors of the corporation for the purposes prescribed by this act are hereby ratified and confirmed

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, for the information of the House, House Bill 717 is the measure that was under consideration yesterday afternoon, a measure that has been on the calendar for a very considerable time, adopted in Caucus, and no action on the bill as far the Democratic Caucus is concerned.

It has been amended in various ways. The gentlemen who amended it have neglected to state on the floor the nature of their amendments. This morning I have a copy of the bill in print, the first opportunity I have had to see the amendments. Personally I consider the bill has been very much improved and I shall vote for it. Any Member on this side of course will choose his own course as to how he votes.

Mr. HUNTLEY. Mr. Speaker, this bill proposes to take the property of the stockholders away from the stockholders. The assets of a corporation belong to the stockholders. The board of directors are not only the creature of the stockholders but they are their servants. They function by means of by-laws. Now, what does this bill propose to do? It proposes to change the by-laws of every private corporation in Pennsylvania. There are thirty-five thousand corporations in Pennsylvania. If these people want the privilege of giving away the stockholders' money, why don't they get that privilege from the stockholders and not come to the Legislature?

I also pointed out yesterday what it meant to the taxation of the state. It is estimated that the taxable property that will be drained away by this fifteen percent will amount to something like eight hundred million to a billion dollars. You can see what that would mean; that money will have to be made up some other way. The probabilities are that it will be added to the individual income tax. The corporations are the ones that should pay the income tax and not the poor stockholder, if the poor stockholder is lucky enough to get paid a little dividend.

Another thing about this bill, it throws the corporation open to all kinds of robbery by the directors. I cannot see any good in this bill. I do not see why it is necessary. If I want anything of my corporations, any privileges to handle the stockholders' money, I call the stockholders together and get that privilege from those who own the stock of the corporation and the assets of the corporation. Why should this state undertake to regulate the corporations in this manner? Why should they change their by-laws? That is what it means. Let the stockholders of the corporation make their own by-laws for guidance of the directors. The directors do not own it, the stockholders own it. When you take this bill and see how far reaching it is, there is something queer about it. I have asked the question whether this legislation might be in the interests of the public. "Well," they say "it's going to help the corporations to give away some of their money to the Red Cross." I am sure that any private corporation, should they want to give money to the Red Cross could easily hold a meeting of the stockholders and give that authority to the directors. I think it is a vicious piece of legislation, and there is no necessity for this bill.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the Majority Whip.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if this bill gives the corporation the right to give money to any charitable institution?

Mr. SORG. I think the gentleman's question would be answered with the statement, that it will permit contributions to any charitable organization which is permitted under the Federal Income Tax Laws. The same provisions were written into this bill as were written into the Internal Revenue Laws of the United States in the definition of charity.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, I have always felt that public charities to my mind have not been successful. The average spent out of a dollar on the particular case does not warrant money being handled by public charity. As I understand this bill from the statement of Mr. Huntley, this will reduce the amount of tax taken in by the state or Federal Government which it could use for charitable purposes. I feel that we should not give the money to public charities and take it away from the political subdivision which to my mind spend their money much better for public charities. For that reason I am going to vote against the bill.

Mr. COHEN. Mr. Speaker, since this has to do with the amendments to the bill, it having been quite an ob

jectionable bill to me when it originally came to the floor, I feel that I should state my position. Very frankly, many corporations in Pennsylvania have been making contributions to various charities. They have been doing it for many years, and my opinion is that they have been doing it without any right under the law or under their charters or their by-laws. We attempted in this bill to make certain that if these contributions were to be made in the future that the stockholders whose money was going to be spent should have some right to determine how their money is spent for charity.

The amendments which have been inserted will provide that before any corporation may hereafter make any charitable contribution of any kind or any size, they are authorized under this bill to adopt by-laws to authorize the directors to make such contributions, but that before such by-laws were adopted the stockholders must have the right to vote as to whether their corporations should make these contributions. I felt that the stockholders whose money eventually was used should have the right to know where their money was going and whether by-laws should be adopted permitting giving it to charities.

Aside from that technical explanation I want to state my personal reaction. I know in Philadelphia we have many fund-raising campaigns for charities each year, and I put in a little bit and my friends and neighbors put in a little bit and we all go together for community purposes to help those less fortunate than ourselves. We also put in out bit for the Red Cross. The Salvation Army and other organizations that are doing a good job in this crisis. I feel when the campaign gets going and we have just a week to go, along comes XYZ or ABC corporation with the big corporations to wind it up, which as far as I am concerned, is entirely proper. I have worked in many of these campaigns and they are always waiting to put in these big contributions to put the campaign over the top. As I said before while the bill originally was objectionable because it provided no notice to the stockholders, since that is now in the act, I feel that we have accomplished the purpose, and for that reason I am prepared to support the bill now just as vehemently as I was opposed to it originally.

Mr. HUNTLEY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. COHEN. I shall, Mr. Speaker.

Mr. HUNTLEY. I understood the gentleman to say that this was to legalize some illegal acts that have already been done by the corporations.

Mr. COHEN. Mr. Speaker, the bill as it is now written will ratify certain ultra vires acts that have been committed by Pennsylvania corporations in the past, that is true.

Mr. HUNTLEY. Then why didn't they go to the stockholders and have their by-laws amended and get the privilege instead of coming here?

Mr. COHEN. What we are doing here, Mr. Speaker, is to provide that corporations may adopt such by-laws, because the gentleman knowns as well as I know that the only rights a corporation has in Pennsylvania is the right given to them and the only powers they have are the powers given to them. What we are doing is to give the corporations the right to adopt such by-laws, and any corporation may if it so desires adopt such by-laws. We do not insist that you do adopt them, but you may if the stockholders ratify the by-laws.

Mr. HUNTLEY. What is to hinder the stockholders giving money now?

Mr. COHEN. The reason the stockholders cannot give money now, or rather the directors acting for the stockholders, is because there is no authorization by law to spend money for charitable purposes, because money spent for charitable purposes does not directly inure to the benefit of the corporation and has nothing to do with the purposes for which the corporation is formed such as the ABC steel company, for instance, which manufactures by-products of steel and so forth. We are giving them certain corporate rights which all go to further the purposes of the corporation itself, but by no stretch of the imagination can those purposes be determined to permit them to give charitable contributions or to make contributions for political purposes or for any purposes not directly connected with the purposes of the corporation itself.

Mr. HUNTLEY. The corporations have been contributing to these various organizations by authority from the stockholders, isn't that true?

Mr. COHEN. There is no question about it, but under this bill we permit them to do so.

Mr. HUNTLEY. So there is no necessity for this bill.

Mr. COHEN. There is necessity for this bill.

Mr. HUNTLEY. Suppose you have a corporation in Philadelphia that has made one hundred thousand dollars. There is fifteen percent or fifteen thousand dollars that you can give away and deduct from your profit.

Mr. COHEN. That is right, from net profits.

Mr. HUNTLEY. How many people will be after you to get you to give a certain percentage of that money to them?

Mr. COHEN. Everybody has solicitations more or less, and they donate the money for charity, but I think this will not increase the donations that they are given now.

Mr. HUNTLEY. You take in a little town like I am in, there will be organizations wanting their portion and they will be coming down wanting their one tenth. If you don't give it to them it will be too bad because you are preventing some taxes which will have to be made up some other way.

Mr. COHEN. This bill will not permit anyone to blackmail anybody into giving contributions. They may give this money but the law does not say they must give it.

Mr. HUNTLEY. I am suspicious that somebody has got in a hole and you are trying to help them out.

Mr. COHEN. I might say in my estimation there are many corporations, from the largest to the smallest in Pennsylvania who are in a hole and have been in the hole in the past, and if there are any lawyers in the House who see fit to do so they can start stockholders' suits to recover this money illegally paid out to charity. If anyone wants to go after them they may do so. I would not do it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lovett, Weiss and Haberlen asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—133

Andrews,	Gallagher,	Madigan,	Royer,
Barton,	Gardner,	Mahany,	Rudisill,
Baumunk,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boorse,	Goodling,	McCormack,	Serrill,
Bower,	Gore,	McDowell,	Shoemaker,
Brancato,	Greenwood,	McKinney,	Sloan,
Breisch,	Greer,	McNair,	Smith,
Brice,	Guthrie,	McNally,	Snider,
Brown,	Gyger,	Mihm,	Snyder,
Brunner, C. H.,	Hall,	Mikula,	Sollenberger,
Brunner, P. A.,	Hare,	Miller,	Sorg,
Cadwalader,	Helm,	Milliken,	Stockham
Cohen,	Hering,	Moore, C. E.,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Nelson,	Trachtman,
Dague,	James,	O'Dare,	Trout,
Dalrymple,	Jones,	O'Neill,	Turbett,
Depuy,	Kennedy,	Owens,	Turner,
Dillon,	Kline,	Pickens,	Wachhaus,
Dix,	Kolankiewicz,	Polaski,	Waterhouse,
Dougherty,	Krise,	Polen,	Watkins,
Dye,	Kurtz,	Powers,	Welsh,
Ewing,	Lane,	Propert,	Wescott,
Finnerty,	Laughner,	Reagan,	Wood, L. H.,
Flack,	Lee,	Reese, D. P.,	Wood, N.,
Fleming,	Leisey,	Reidenbach,	Worley,
Foor,	Lichtenwalter,	Reilly,	Yeakel,
Freed,	Loftus,	Reynolds,	Yester,
Frost,	Longo,	Riley,	Fiss,
Fullerton,	Lyons,	Root,	Speaker.
Gaffney,	Madden,		

NAYS—46

Baker,	Elish,	Lovett,	Petrosky,
Barrett,	Erb,	Matthews,	Pettigrew,
Bentzel,	Green,	Mills,	Schuster,
Boies,	Haberlen,	Mooney,	Shaffer,
Boney,	Hamilton,	Moore, W. J.,	Swope,
Boory,	Heatherington,	Moran,	Trent,
Brothers,	Hunter,	Murray, M. L.,	Varallo,
Chudoff,	Huntley,	Myhan,	Wagner,
Coleman,	Kirley,	Nagel,	Weiss,
Corrigan,	Komorofski,	O'Brien,	White,
Coyle,	Leonard,	O'Donnell,	Wright,
Cullen,	Lopez,		

NOT VOTING—27

Bentley,	Grant,	McLanahan,	Regan,
Burns,	Haudenshield,	McMillen,	Robertson,
Chervenak,	Hennihan,	Modell,	Rose,
Dennison,	Herman,	O'Connor,	Skale,
Duffy,	Hersch,	Pentrack,	Stank,
Elder,	Hoggard,	Readinger,	Tate,
Fox	Levy,	Reese, R. E.,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 501

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 501, Printer's No. 649, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McKINNEY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on the final passage of this bill?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Venango, Mr. McKinney, vote on the final passage of this bill?

Mr. McKINNEY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 3, line 6, by adding at the end of said line the following:

Provided, however, that any person, partnership or unincorporated association who or which has been licensed as a private bank by the Department of Banking of the Commonwealth of Pennsylvania for a period of thirty (30) years or more prior to the first day of January, one thousand nine hundred forty-five, shall, if application therefor is made within ninety (90) days of the effective date of this act, be entitled to apply for and to receive a real estate broker's license without examination.

The SPEAKER. Will the House give unanimous consent to the offering of the amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 528

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 528, Printer's No. 232, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HOFFMAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson, Mr. Dennison, vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Northampton, Mr. Hoffman, vote on the final passage of this bill?

Mr. HOFFMAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 1, first line of title, by striking out the word "repeal", and inserting in lieu thereof: "further amend."

Amend the title, page 2, last four lines of title, by striking out the words "as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329)" and inserting in lieu thereof: "by further regulating the transportation of loads in excess of seating capacity of motor vehicles for the carriage of passengers for hire."

Amend Sec. 1, page 3, line 13, by striking out the word "repealed", and inserting in lieu thereof: "further amended to read as follows."

Amend Sec. 2, page 3, lines 14 and 15, by striking out all of said lines, and inserting in lieu thereof: "Section 902. Size of Vehicles and Loans.—"

* * * * *

(f) It shall be unlawful for any person to transport on a motor vehicle trailer, or semi-trailer, operated for the carriage of passengers for hire, a load of twenty-five (25) per centum in excess of the registered seating capacity, or for any person to cause or permit any such operation: Provided however, That a child under the age of six shall not be counted as a person when computing load on any such vehicle: And provided further, That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity, when such load is carried by a vehicle for not more than [ten] thirty-five consecutive miles."

Amend Sec. 3, page 3, line 16, by striking out the figure "3", and inserting in lieu thereof: "2."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 98

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 98, Printer's No. 535, entitled "An Act to amend an act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled 'An act relative to plans of survey and regulation in the City of Philadelphia' by restricting the operation of the act to original plans and revisions changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the owners or majority of feet frontage thereon or on one side thereof and by providing that all plans and revisions of plans of land subdivision shall after approval by the Board of Surveyors be recorded in the Office of the Recorder of Deeds and that owners and purchasers shall be conclusively presumed to have notice thereof."

EDWARD MARTIN.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 291, 612, 614, 638, 692, 716, 719, 752, 755, 762, 769, 771, 776, 784.

House Bills concurred in by Senate 112, 176, 419, 639, 807, 842, 873, 1062, 1068, 1175, 1250.

Amended House Bills returned for concurrence 62, 671, 806, 1104.

Amended Senate Bills concurred in by Senate 607, 248, 374.

Appointment of Conference Committee on House Bill 666.

Senate insists on amendments to House Bill 805.

CALENDAR

The SPEAKER. The calendar having been placed on the desks of the Members the Chair will proceed with today's calendar.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 208, as follows:

An Act to further amend Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by modifying the procedure for the collection and payment of the tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" as last amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 308) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred forty-four and thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nagel,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Varallo,
Dalrymple,	Jones,	O'Dare,	Verona,
Dennison,	Kennedy,	O'Donnell,	Wachhaus,
Depuy,	Kirley,	O'Neill,	Wagner,
Dillon,	Kline,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Wescott,
Elder,	Lane,	Polaski,	White,
Elish,	Laughner,	Polen,	Wood, L. H.,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,		

NAYS—0

NOT VOTING—1

Tate,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 209, as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies

incorporated under the provision of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 75) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two to assess such shares for taxation at the rate of eight mills upon each dollar of the actual value thereof and for the calendar year ending December thirty-first one thousand nine hundred forty-three at the rate of five mills upon each dollar of the actual value thereof and thereafter at the rate of [five] four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred forty-four and thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Fullerton,	Lovett,	Reidenbach,
Baker,	Gaffney,	Lyons,	Reilly,
Barrett,	Gallagher,	Madden,	Reynolds,
Barton,	Gardner,	Madigan,	Riley,
Baumunk,	Getchey,	Mahany,	Robertson,
Bentley,	Gibson,	Matthews,	Root,
Bentzel,	Goodling,	McAtee,	Rose,
Boles,	Gore,	McClester,	Royer,
Bonawitz,	Grant,	McCormack,	Rudisill,
Boney,	Green,	McDowell,	Salus,
Boorse,	Greenwood,	McKinney,	Scanlon,
Boory,	Greer,	McLanahan,	Schuster,
Bower,	Guthrie,	McMillen,	Serrill,
Brancato,	Gyger,	McNair,	Shaffer,
Breisch,	Haberlen,	McNally,	Shoemaker,
Brice,	Hall,	Mihm,	Skale,
Brothers,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,

Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Burns,	Helm,	Modell,	Sollenberger,
Cadwalader,	Hennihan,	Mooney,	Sorg,
Chervenak,	Hering,	Moore, C. E.,	Stank,
Chudoff,	Herman,	Moore, W. J.,	Stonier,
Cohen,	Hersch,	Moran,	Stuart,
Coleman,	Hewitt,	Moser,	Swope,
Cook,	Hoffman,	Munley,	Tahl,
Cooper,	Hoggard,	Murray, M. L.,	Tate,
Corrigan,	Hoopes,	Murray, P. G.,	Tittle,
Costa,	Howells,	Myhan,	Trachtman,
Coulson,	Hunter,	Nagel,	Trent,
Coyle,	Huntley,	Nelson,	Trout,
Cullen,	James,	O'Brien,	Turbett,
Dague,	Jones,	O'Connor,	Turner,
Dalrymple,	Kennedy,	O'Dare,	Varallo,
Dennison,	Kirley,	O'Donnell,	Verona,
Depuy,	Kline,	O'Neill,	Wachhaus,
Dillon,	Kolankiewicz,	Owens,	Wagner,
Dix,	Komorofski,	Pentrack,	Waterhouse,
Dougherty,	Krise,	Petrosky,	Watkins,
Duffy,	Kurtz,	Pettigrew,	Weiss,
Dye,	Lane,	Pickens,	Welsh,
Elder,	Laughner,	Polaski,	Wescott,
Elish,	Lee,	Polen,	White,
Erb,	Leisey,	Powers,	Wood, L. H.,
Ewing,	Leonard,	Propert,	Wood, N.,
Finnerty,	Levy,	Readinger,	Worley,
Flack,	Lichtenwalter,	Reagan,	Wright,
Fleming,	Loftus,	Reese, D. P.,	Yeakel,
Foor,	Longo,	Reese, R. E.,	Yester,
Freed	Lopez,	Regan,	Fiss,
Frost,			Speaker

NAYS—0

NOT VOTING—1

Fox.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. COHEN. Mr. Speaker, with respect to Senate Bill 656, Printer's No. 516, Senate Bill 657 on the same page, Senate Bill 658 on the next page and Senate Bill 718 on the following page, they are all compensation bills. We were ready on this side to offer amendments, rather technical amendments. The gentleman from Philadelphia, Mr. Herman, who had prepared the present amendments, the most favorable amendments to these bills, called me a little while ago from the hotel. He is sick in bed, and I am trying to get a substitute to start to work on the amendments so that we might present our position. I ask, Mr. Speaker, whether the Majority Leader will go along and give us another hour and a half or two hours at best so that we might intelligently present our position here.

BILL PASSED OVER

There being no objection

Senate Bill No. 656, Printer's No. 516,

was passed over at the request of Mr. ANDREWS.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 718, entitled:

An Act to add section three hundred six and one-tenth to the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) entitled "An and to further reenact and amend the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' changing maximum and minimum rates periods total amounts and aggregate of compensation changing the system of computation of wages for compensation purposes changing practice and rules of evidence defining earning power after accident authorizing the board to terminate compensation in certain cases changing the classes of dependents entitled to compensation in case of death increasing powers and duties of the board and imposing additional penalties authorizing the department the board and the referees to approve compromise agreements in certain cases and generally amending clarifying and changing the provisions of said act" providing for payment in second injury cases and making an appropriation

On the question,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, first line of title, by striking out the word "section" and inserting in lieu thereof "sections."

Amend title, page 1, first line of title, by inserting after the word "one-tenth" "and three hundred twenty-one."

Amend title, page 2, second from last line of title, by inserting after the word "cases" "requiring certain payments by employer or insurance carriers in cases of death where there are no dependents."

Amend Sec. 1 (Sec. 306.1), page 4, line 15, by inserting after the word "board" "Such payments shall be made out of moneys credited to the second injury reserve account in the State Workmen's Insurance Fund hereinafter provided for."

Amend Sec. 1, (Sec. 306.1), page 4, lines 19 to 24, both inclusive, by striking out the words "out of the General Fund in the State" in line 19, all of lines 20, 22, 23 and 24.

Amend Sec. 1 (Sec. 306.1), page 4, line 26, by striking out the words "of said appropriation" and inserting in lieu thereof "credited to said account."

Amend Sec. 1 (Sec. 306.1), page 5, line 7, by striking out the words "State appropriation" and inserting in lieu thereof "second injury reserve account."

Amend bill, page 5, by inserting between lines 15 and 16 the following:

"Section 2. Said act is further amended by adding at the end of article three thereof a new section to read as follows:

"Section 321. For every injury resulting in death compensable under this act, where there are no dependents, the employer or his insurance carrier, as the case may be, shall pay into the State Workmen's Insurance Fund the sum of five hundred dollars ($500.00) which shall be credited to a ledger account to be known as the second injury reserve account. In order to enforce payment of such sum, the department shall have power to file with the board a claim for the same in like manner as any claim for compensation may be filed under this act. All amounts credited to the second injury reserve account are hereby appropriated to the department for the payment of the compensation provided for by section three hundred six point one of this act.

"Section 3. The sum of ten thousand dollars ($10,000), or so much thereof as may be necessary is hereby appropriated to the State Workmen's Insurance Board, to be credited to the second injury reserve account in order to make it possible to pay compensation for second injuries, immediately after the effective date of this act. The amount so appropriated shall be repaid out of moneys credited to the second injury reserve account not later than

the first day of June, one thousand nine hundred forty-seven.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. LOVETT. Mr. Speaker, if I may in a few minutes try to tell you what the amendments do so that we can vote intelligently on them, I will be glad to do so.

I first want to state that we are not opposed to the idea of this bill in setting up second injuries, but I have a bill in the Legislature myself and sponsored by one of my colleagues on the other side of the House which sets the financing of this particular legislation up in the state funds, and the money is paid in by the self-insurer or the insurance carrier. We make a small appropriation under these amendments to carry the expense of the enactment of this law up until such time as there is sufficient money accumulated in the state fund, and then that appropriation of money by the state will be paid back to the state out of that fund. In other words, I feel and I think the Members of this House should feel that rather than the state being responsible for the moneys which are to finance this second injury clause, that the self-insurer or the insurance carrier should be responsible.

I have continually insisted in this House that there should be a monopoly as far as workmen's compensation is concerned. To my mind it is a social question; no one should make profit from injured workmen. I have insisted that the state fund be the sole insurer and that we eliminate the self insurer, and by doing that we would then know the amount of money we need to liberalize workmen's compensation, which I agree and most of you men will agree should be liberalized.

That is what these amendments do, and I would certainly ask the Members of this House on both sides to vote for these amendments.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. SORG. I desire to inquire of the gentleman whether my interpretation of his amendment is the elimination of an appropriation of one hundred thousand dollars to take care of second injuries?

Mr. LOVETT. The amendments eliminate to some extent the appropriation of one hundred thousand dollars and insert an appropriation to carry the workings of this act until such time as there is sufficient money in the Workmen's Fund to then carry on the work of this act.

Mr. SORG. Will the gentleman state the amount of the appropriation to take care of it? What is the amount of the appropriation provided to take care of certain injuries?

Mr. LOVETT. The amount set aside is five hundred dollars to be paid into the State Fund by the insurance carrier or the independent insurer, if that is the question the gentlemen asked.

Mr. SORG. Is it my understanding, Mr. Speaker, that the amendments provide for the building up of a reserve account of ten thousand dollars?

Mr. LOVETT. That is correct. Mr. Speaker.

Mr. SORG. Until such time as the amounts of five hundred dollars will provide sufficient to overcome that, and then the appropriation would be repaid?

Mr. LOVETT. That is correct.

Mr. SORG. Is it my understanding, Mr. Speaker, that the payments of five hundred dollars are to be made by the insurance carriers when there shall have been a death of an employe, a compensable death where there are no dependents to receive that amount?

Mr. LOVETT. Is that question directed to me, Mr. Speaker?

Mr. SORG. Yes, it is, Mr. Speaker.

Mr. LOVETT. My understanding would be that what we intend is to have insurance carriers and self insurers pay that money into the State Fund if they hire men coming under this particular act.

Mr. SORG. Will the gentleman indicate to me in the amendment where that provision is inserted?

Mr. LOVETT. I might say in answer to the gentleman's question, it is pretty hard sometimes to follow the amendments as they come into these bills in the dying hours of the session, as we have here today. We don't find time to do those things until we get it in front of us and then we know what we are talking about. I am sorry I cannot answer the gentleman's question just at this time.

Mr. SORG. I thank the gentleman.

Mr. Speaker, it occurs to me that the gentleman does not have a full and complete understanding of the amendments actually as they were read by the Clerk for the information of the House. It is my understanding that the gentleman intends by these amendments to require insurance carriers or employers who are self insurers to pay five hundred dollars into a fund at the death of an employe in a compensible amount. Ten thousand dollars is appropriated for a period of two years to provide for second injuries. These various deaths by employes without dependents must first make up this ten thousand dollar appropriation, and the amendment specifically provides that it must be paid back January 1, 1947. It is my thought, and it is my understanding, Mr. Speaker, that the amendments considerably weaken the intent and the purpose of this bill. This is a workmen's bill. The gentleman goes only to the matter of compensation. I want to say for the information of the gentleman that in my opinion ten thousand and five hundred dollars every time an employe dies without dependents will not be sufficient to take care of this particular measure.

I want to suggest further, Mr. Speaker, for the information of the gentleman and of the House, that in my opinion this is an innovation in workmen's compensation. It goes deeper than the mere compensating for injuries. The real effect of this bill is to give the handicapped worker greater opportunity and it is to provide less risk for employers and because it is an innovation and because it is a strange thing in workmen's compensation provisions it is the thought of the framers of this bill that it is—strangely it is in the agreement with the principles enunciated by the gentleman from Westmoreland, a matter for the State. The bill in its original form provides a fund of one hundred thousand dollars to take care of second injuries. The gentleman would eliminate the appropriation of one hundred thousand dollars by his amendment. The gentleman would say that we get ten thousand dollars and that

periodic payments should be made later—at what period we do not know, and that there should be payments to the amount of ten thousand dollars by reason of the deaths of employes without dependents and that then at the end of two years there would be just enough to pay back the ten thousand dollars without paying any compensation whatever to the man who otherwise would be eligible.

I ask the Members of the House for the sake of the workmen who are intended to be covered, to vote down the amendment and let the bill remain in its original form so that there will be something with which to pay the bill.

Mr. JAMES. Mr. Speaker, we have begun consideration of a series of bills with the consideration of this particular bill, that are probably of greater importance to more people in the state of Pennsylvania than any other bills that we have had before us in this session. We are considering these bills under a very great handicap. The bills as printed and ready for consideration by the House were received to the best of my knowledge and belief on Monday night. To thoroughly read and understand the provisions of these four bills would be no mean task if two weeks were devoted to it. There are a number of the Members in this House who are willing and ready to give full consideration to any amendments that are offered that would in our opinion liberalize benefits to workmen under these four bills. I for my part, and I hope the other Members of the House will listen very, very carefully to everything that is offered, will demand and expect to receive a thorough explanation from the sponsors of amendments of just exactly what the amendments propose to do, and we shall want enough time to study and consider it here on the floor.

I want to say with respect to the amendments offered to Senate Bill 718 I have tried my level best to find in these amendments something that might be of benefit to the workman. That is all we are interested in in the consideration of these four bills. I do not find anything that in my opinion would benefit the workman or would be to the advantage of Senate Bill 718 when enacted into law, and therefore in agreement with the Majority Whip I think this amendment should be voted down.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall.

Mr. ANDREWS. Is the total amount of the appropriation for second injuries during the next biennium to be one hundred thousand dollars.

Mr. SORG. That is the provision of the bill, Mr. Speaker.

Mr. ANDREWS. And who pays the one hundred thousand dollars?

Mr. SORG. The General Fund of the Commonwealth of Pennsylvania.

Mr. ANDREWS. Does the gentleman have any statistics as to the probable drain upon the second injury fund that leads him to believe that one hundred thousand dollars would be adequate?

Mr. SORG. Mr. Speaker, that information is not available. We have no present law at this time, and as I said, this is really an innovation, and under the compensation law of Pennsylvania there is no experience that would give us the basis for any certain figures.

Mr. ANDREWS. Mr. Speaker, under this act must the first injury have necessarily been incurred in industry?

Mr. SORG. No, Mr. Speaker.

Mr. ANDREWS. Under this act if a returned veteran who had lost an arm is employed and loses the other arm, would he receive second injury benefits?

Mr. SORG. Yes, Mr. Speaker.

Mr. ANDREWS. Does the gentleman from Elk seriously contend that if injured veterans are employed or they are accepted by employers that one hundred thousand dollars will cover them even in the beginning of the second injury?

Mr. SORG. I believe it will, Mr. Speaker.

Mr. ANDREWS. That is all, I thank the gentleman.

The gentleman from Elk and the gentleman from Delaware have well said that the second injury fund proposal is something new in Pennsylvania, although it is not something new in other states. We have had, I believe, and the gentleman from Elk can correct me if I am wrong—there was a previous attempt to establish a second injury fund based upon assessments made upon employers, and it is my recollection that the courts held that you could not hold one employer responsible for the injuries received by the workman of another employer and that therefore the second injury fund attempt ran afoul of the courts and never became law.

I am saying to you gentlemen that one million five hundred thousand dollars would be more adequate for a second injury fund if we are serious about the proposition that the men returning from the armed services are to be given employment and that employers are to be protected who employ them. This one hundred thousand dollars is an empty gesture; it is a mockery. It does not even mark the beginning of a decent second injury system. It might be worthwhile—I believe they have a second injury fund in New York State, do they not? I am asking the gentleman from Elk.

Mr. SORG. I am not aware of that, Mr. Speaker.

Mr. ANDREWS. Might I suggest to the gentleman from Elk, who says that there is no experience upon which to base a second injury fund, that it is peculiar that the experience of other states was not drawn upon. I say to this House that the second injury fund proposal is so important, so essential to industry, to the returning veteran that it would be worthwhile for this General Assembly to remain in session another week if for no other purpose than passing legislation which would protect employers who want to hire men who are engaged in industry, would protect employers who want to hire injured veterans and which would protect the injured man.

I suggest to the gentleman on the other side that they do not abandon the most significant move in connection with compensation legislation that has been made in the State of Pennsylvania since the compensation act was conceived, that they do not abandon their attempt with what will prove to be an empty gesture, but that they take steps to continue this session of this General Assembly until they can come in with statistics and figures to show what would be an adequate second injury fund.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Majority Whip again, please.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall.

Mr. LOVETT. Mr. Speaker, I understood the gentleman to say that the five hundred dollars would not be paid into the fund until there was the second injury?

Mr. SORG. I did not intend to make that statement, Mr. Speaker, if I did.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he feels that it would be unconstitutional for the corporations of this state to pay in five hundred dollars into the state fund to be used for all employes in the state of Pennsylvania, voluntarily—if the corporations voluntarily made such contributions to the state fund?

Mr. SORG. Mr. Speaker, I not only think that that is perfectly constitutional but I would have no difficulty in agreeing to having a bill passed that would permit that.

Mr. LOVETT. That is all.

Mr. Speaker, these great corporations of Pennsylvania who are so patriotic, I do not feel that there would be any question about those corporations paying into a fund to protect the injured veteran. I say to you that if it is unconstitutional for a corporation to pay into a fund to pay men who are injured in other industries why then is it not unconstitutional for working men in industry to pay into funds for sick relief, when the money of those men is used for men who become sick in those industries and they do not receive the benefits?

I say to you, as Mr. Andrews has said, this is a huge question and I realize that the Committee on Workmen's Compensation never met during this session until a week ago, and we then received these bills.

I will admit that with my knowledge I cannot intelligently answer for the amendments that I offered to this bill. I find no fault with the second injury fund—I am for it, but I do not think that the corporations of the state of Pennsylvania should saddle onto the taxpayers of Pennsylvania the entire cost of second injuries. That is why I have consistently said to you here in this House that the State Fund should be set up as a monopoly. You agree and I agree that the State Fund today has enormous profits. Can you imagine how enormous those profits would be if they had the entire business of the State of Pennsylvania? Do you realize in this State that the independent insurer can refuse to take compensation on certain risks while the State Fund must take that compensation? My friends, I want to say to you here today that I for one feel that we should stay in session until we can solve this problem and for industry to take its proper place in Pennsylvania.

Mr. GRANT. Mr. Speaker, I find myself in a very peculiar position. I see before this House a bill that will go a long way towards assisting every employment representative on every draft board in the State of Pennsylvania. The employment members of draft boards of the State of Pennsylvania presently are only confronted with one problem. When the boys come back from overseas and are discharged they have the right within a certain number of days under the Selective Service System to go back to their former jobs. Now, presently they do not desire to go back to those jobs; they can easily get a job through the employment set-up of the Federal Government, but there is one thing that the members are constantly being confronted with, and that one thing is that lots of worthy employers would like to take men back and give them employment in the same industry that they were employed in previously, but they cannot take them back because these unemployment insurance carriers will not insure them, and because of that condition they unwillingly are placed in a position that they cannot re-employ that boy. I feel if we would pass legislation such as is before us that would honestly take care of those boys that this legislature would have been a success if nothing else had passed. But unfortunately due to the way things have been railroaded through this session, here we have a compensation bill during the waning days of this session, and the powers that be have determined that we shall adjourn in a very short time, I feel that this Legislature has let down the soldiers who are returning on disability because of the fact that this Legislature did not take such a bill as is before us and give it the consideration that is due it.

I for one when I am campaigning with those boys who come back am going to say that this Legislature and the powers that be, that are controlling this Legislature, have let them down. I will also have to say that one of the Members from our side of the House presented an amendment, an amendment that I know nothing about, and I have not had it explained to me. I will say that probably if he had time to explain it to me, I would have given it every consideration, but I find out that even he could not explain it to me.

I only want to leave one thought with this Legislature at this time. Here is a bill, the nature of which would be the finest gesture that the State of Pennsylvania could make to the boys who were over fighting so gloriously for us, but unfortunately the powers that be have seen fit not to give this Legislature proper opportunity to sit down and work out a bill that would mean so much to them, that in some small way would have shown some appreciation to those boys.

Mr. ANDREWS. Mr. Speaker, would the gentleman be willing to accept an amendment which would materially increase the appropriation carried in this bill?

Mr. SORG. Mr. Speaker——

Mr. ANDREWS. Mr. Speaker, will the gentleman yield for interrogation?

Mr. SORG. Yes, Mr. Speaker, I yield to the gentleman from Cambria.

Mr. ANDREWS. Mr. Speaker, would the gentleman be willing to accept an amendment which would materially increase the appropriation carried in this bill?

Mr. SORG. Mr. Speaker, I would not be in position to do that.

Mr. ANDREWS. Mr. Speaker, would the gentleman delay consideration of the bill until he can report to the House whether or not he would be willing, or whether the majority side would be willing to accept an amendment materially increasing this appropriation?

Mr. SORG. Mr. Speaker, reluctant as I am to refuse to extend any courtesy to the gentleman, I believe for reasons that I can give later, it would not be necessary in order to increase the effectiveness of this bill to increase the amount of the appropriation.

Mr. ANDREWS. We have the answer, Mr. Speaker.

Mr. SORG. Mr. Speaker, there is evidently an attempt to put a lot of magic or mystery into this bill. There is no

magic, no mystery, it is not that complicated. It provides that the Commonwealth will supply the difference between the amount payable for total disability and that payable under circumstances which have been explained so well by the gentleman on the other side.

I might say on experience, the figures that we may be able to arrive at from the experience of other states that have such measures, that the amendments would not serve the purpose; they would be entirely inadequate because there is so much difference between the manufacture of neckties and hairpins and the manufacture of coal and steel.

To confine ourselves to the particular amendments offered, I want to say that the paradox of the whole question here is the fact that this is an attempt to cut down the appropriation from one hundred thousand dollars to ten thousand dollars, which ten thousand dollars must be paid back from funds we know not when nor from where they must come.

On the specific question, Mr. Speaker, I ask the Members of this House to vote down the amendments that actually decrease the appropriation.

Mr. LOVETT. Mr. Speaker, I do not offer these amendments to confuse or destroy the intent of the second injury fund. The gentleman stated that we wanted to decrease the appropriation. My amendments do not decrease the appropriation, to my understanding. My amendments set up a form in which the corporations and the insurance carriers will eventually pay for this act. I find myself in a position now on these amendments that I offered, that I have admitted I do not know too well how they fit into this bill, where I would withdraw my amendments to this bill if I could be assured that this bill would be recommitted to the committee so that we could sit down and study out and work out some way in which we could make a decent bill under which the insurance carriers and self-insurers would pay their share at least of the expense of this act.

Mr. Speaker, may I interrogate the Majority Whip once more?

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall.

Mr. LOVETT. Mr. Speaker, if I should withdraw my amendments would the gentleman be in a position to tell me that this bill could be recommitted for further consideration?

Mr. SORG. I would not, Mr. Speaker, and I would oppose a motion to recommit the bill. I think it is fully adequate in itself and it takes care of the situation.

AMENDMENTS WITHDRAWN

Mr. LOVETT. That is all. Mr. Speaker, I feel that somehow my amendments do confuse the House, and if you insist that you want to pass this kind of legislation with as little study as you have given it, I now withdraw those amendments.

The SPEAKER. The gentleman from Westmoreland, Mr. Lovett, withdraws the amendments.

Mr. ANDREWS. Mr. Speaker, I would like to make one further appeal to the majority side, and by way of a preliminary ask another question if the gentleman from Elk will indulge me.

Mr. Speaker, if we put more than one hundred thousand dollars into this fund and it was not spent that money would remain in the fund, would it not? It would not be wasted?

Mr. SORG. It would not be; it would remain.

Mr. ANDREWS. And if the one hundred thousand dollars is inadequate then I would ask if some injured person does not suffer—if we exhaust the fund before the end of the biennium what happens?

Mr. SORG. Mr. Speaker, it is my opinion that regardless of the appropriation on this measure the liability of the Commonwealth to pay for total disability as the result of second injury is not affected in any way whatsoever.

Mr. ANDREWS. Does the gentleman so assert as a matter of record that the appropriation is immaterial and that the obligation of the Commonwealth is continuing?

Mr. SORG. I do, Mr. Speaker.

Mr. ANDREWS. From what fund, might I ask, would any second injury be paid after this appropriation was exhausted?

Mr. SORG. From the general fund, Mr. Speaker.

Mr. ANDREWS. Is it in the bill?

Mr. SORG. It is not, Mr. Speaker. The bill simply provides that the Commonwealth shall be liable.

Mr. ANDREWS. Would the gentleman be willing to insert, which could be done in fifteen minutes, a clause that this shall be a continuing obligation and that when the one hundred thousand dollars is exhausted that the second injuries will be compensated from the general fund?

Mr. SORG. Mr. Speaker, I see no need for such an amendment.

Mr. ANDREWS. Wouldn't the gentleman be willing to substract five hundred thousand dollars from the Capitol Extension Fund and put it into this fund? Apparently not.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lopez,	Regan,
Baker,	Fullerton,	Lovett,	Reidenbach,
Barrett,	Gaffney,	Lyons,	Reilly,
Barton,	Gallagher,	Madden,	Reynolds,
Baumunk,	Gardner,	Madigan,	Riley,
Bentley,	Getchey,	Mahany,	Robertson,
Bentzel,	Gibson,	Matthews,	Root,
Boles,	Goodling,	McAtee,	Rose,
Bonawitz,	Gore,	McClester,	Royer,
Boney,	Grant,	McCormack,	Rudisill,
Boorse,	Green,	McDowell,	Salus,
Boory,	Greenwood,	McKinney,	Scanlon,
Bower,	Greer,	McLanahan,	Schuster,
Brancato,	Guthrie,	McMillen,	Serrill,
Breisch,	Gyger,	McNair,	Shaffer,
Brice,	Haberlen,	McNally,	Shoemaker,
Brothers,	Hall,	Mihm,	Skale,
Brown,	Hamilton,	Mikula,	Sloan,
Brunner, C. H.,	Hare,	Miller,	Smith,
Brunner, P. A.,	Haudenshield,	Milliken,	Snider,
Burns,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stonier,
Coleman,	Hersch,	Moran,	Stuart,
Cook,	Hewitt,	Moser,	Swope,

Cooper,	Hoffman,	Munley,	Tahl,
Corrigan,	Hoggard,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss, Speaker.
Freed,			

NAYS—0

NOT VOTING—1

Tate,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 658, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 271) and by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) ["Base year" with respect to an individual means the period of twelve consecutive months ending the thirty-first day of December immediately preceding the first day of a benefit year Provided however That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three the base year of such benefit year shall be the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year]

"Base Year" with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the calendar year one thousand nine hundred and forty-four and with respect to each benefit year which begins subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year

(b) ["Benefit year" with respect to an individual means the period of twelve consecutive months ending thirty-first day of May Provided however That (for the purpose of this subsection only) a week in which a benefit year begins shall be deemed to be in that benefit year which includes the major part of such week and Provided further That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three such benefit year shall be the period defined in this subsection prior to the effective date of this amendment and such individual's next benefit year shall extend from the end of such current benefit year to the thirty-first day of May one thousand nine hundred and forty-four]

"Benefit Year" (i) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the period beginning with the day for which such "Valid Application for Benefits" is filed and ending the thirty-first day of May one thousand nine hundred and forty-six (ii) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the one-year period beginning with the day as of which such "Valid Application for Benefits" is filed and (iii) thereafter the one-year period beginning with the day as of which such individual next files a "Valid Application for Benefits" after the termination of his last benefit year

[(b.2) A "First Compensable Claim" means a claim for the first week of total unemployment for which compensation is payable in a benefit year]

* * * * *

(e) "Compensated Employe" (i) with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means an employe to whom compensation equal to three times his weekly benefit rate was paid with respect to such benefit year Provided That an employe who is paid compensation under the provisions of section four hundred and seven shall not be considered a "compensated employe" with respect to the payment of such compensation and Provided further That when an employe has been paid compensation to which he was not entitled such payment shall not be considered in determining whether or not the employe has been paid compensation equal to three times his weekly benefit rate except that this pro-

vision shall not affect the computation of an employer's rate of contribution if such payment was not determined erroneous prior to such computation unless such payment was determined erroneous under a court decision and (ii) with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means an employe to whom compensation was paid in such benefit year

[(e)] (f) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

[(f)] (g) "Contributions" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

[(g)] (h) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

[(h)] (i) "Employe" means every individual whether male female citizen alien or minor who is performing or subsequent to the first day of January one thousand nine hundred and thirty-six has performed services for an employer in an employment subject to this act

[(i)] (j) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty (20) days each day being in a different calendar week during the calendar year one thousand nine hundred and thirty-six or during any calendar year thereafter to and including the calendar year one thousand nine hundred and forty-four or who or which employed or employs any employe in employment subject to this act for some portion of a day during the calendar year one thousand nine hundred and forty-five or for some portion of a day during any calendar year thereafter [each day being in a differtnt week] or (II) who or which has elected to become fully subject to this act and whose election remains in force

[Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such employer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor] Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

[Wherever a change of ownership or transfer of interest of the assets or substantially all the assets of an organization trade or business occurs within a calendar year the successor in interest is deemed to be an employer within the meaning of this section if and when (1) the predecessor and successor in interest within the same calendar year have together employed one or more employes (whether or not the same employe) for some part of twenty (20) different weeks in employment subject to this act (2) the predecessor was an employer under this act]

Where an employer maintains more than one place of employment within the Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes with respect to which no contributions are required and paid under an unemployment compensation law of any other state (1) if the employe or employes included in such election maintain a domicile within this Commonwealth and the services of such employe or employes are performed entirely without this Commonwealth or (2) if the employe or employes included in the election maintains no domicile within this Commonwealth but the services of such employe or employes are (A) performed without this Commonwealth and (B) are directed from this Commonwealth

Such election shall be subject to the approval of the department [the election] and shall become binding for not less than two calendar years [or until the department on its own motion cancels the election]

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection [(j)] (l) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of the first day of January [first] of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election Notwithstanding any provisions of this subsection to the contrary the department may at any time on its own motion cancel an election approved under the provisions of this subsection

(k) "Employer's Experience" means a percentage obtained by dividing the wages of a Compensated Employe as defined in subsection (y) of this section paid by an employer to all of his compensated employes during the last three calendar years less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such three calendar years by the total wages paid by the employer to all his employes during such three calendar years

[(j)] (l) (1) "Employment" means (i) all service performed prior to the first day of January one thousand nine hundred [forty-two] forty-five which was employment as defined in this section prior to [such date and subject to the provisions of this subsection as amended] the effective date of this amendment and (ii) all service performed after the thirty-first day of December one thousand nine hundred [forty-one] forty-four which is employment as defined in this section as hereby amended including service in interestate commerce and service as an officer of a corporation performed for remuneration or under any contract of hire express or implied written or oral

* * * * *

(3) "Employment" shall also include

(A) Services covered by an election pursuant to section 4 [(i)] (j) of this act and

(C) Notwithstanding any other provisions of section four (i) an individual's entire service as an officer or member of a crew of an American vessel wherever performed and whether in intra-state or inter-state or foreign commerce if the employer maintains within this state the operating office from which the operations of the American vessel in respect to which such services are performed are ordinarily and regularly managed supervised and controlled

(4) The word "employment" shall not include

* * * * *

(2) [Domestic service in] Casual labor in connection with a private home provided that the employer of such causal labor resides in such private home and domestic service in a private home local college club or local chapter of a college fraternity or sorority

[(2.1) Casual labor not in course of employer's trade or business]

(3) Service performed as an officer or member of the crew of a vessel [on the navigable waters of the United States] not an American vessel

* * * * *

(10) Service performed in the employ of [a labor] an agricultural or horticultural organization exempt from income tax under Section [101] one hundred and one (1) of the Federal Internal Revenue Code as amended

* * * * *

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or distribution to any point for subsequent delivery or distribution

[If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) hereof]

* * * * *

(5) If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) of subsection (1) (4) of this section

(6) Notwithstanding any of the other provisions of section four (1) services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State Unemployment Compensation Fund

[(k)] (m) "Employment Office" means a public employment office or branch thereof operated by the department or by any other state or by the Federal Government under agreement with the department

[(m)] (n) "Referee" means a referee appointed [by the Governor] to hear appeals under this act

[(n)] (o) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

[(o)] (p) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

[(p)] (q) "Social Security Board" means the Social Security Board established by the Social Security Act

[(q)] (r) "State" includes Alaska Hawaii and the District of Columbia

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such Fund during the last three completed calendar years by the total wages of all compensated employes as defined in subsection (y) of this section for such three calendar years such percentage to be adjusted to the nearest multiple of one percentum

[(r)] (t) "Suitable Work" means all work which the employe is capable of performing [except work in which] In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness prior training and experience and the distance of the available work from his residence The department shall also consider among other factors the length of time he has been unemployed and the reasons therefor the prospect of obtaining local work in his customary occupation his previous earnings the prevailing condition of the labor market generally and particularly in his usual trade or occupation prevailing wage rates in his usual trade or occupation and the permanency of his residence However notwithstanding any other provisions of this subsection no work shall be deemed suitable in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required by the employer to join a company union or to resign from or refrain from joining any bona fide labor organization

[(s)] (u) "[Total] Unemployment" An individual shall be deemed [totally] unemployed with respect [(1)] to any week during which he performs no services [for which] and with respect to which no remuneration is paid or payable to him or [(2) to any week or less than fulltime work if the remuneration paid or payable to him does not exceed three dollars ($3.00)] with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed in accordance with rules and regulations of the department remuneration paid or payable with respect to the week or weeks for which such payments are made

[(t)] (v) "Unemployment Trust Fund" means the Un-

employment Trust Fund established by the Social Security Act

(w) A "Valid Application for Benefits" means an application for benefits on a form prescribed by the department which is filed by an individual as of a day not included in the benefit year previously established by such individual who is qualified under the provisions of Section four hundred and one (a)

[(u)] (x) "Wages" means all remuneration for employment (including the cash value of mediums of payment other than cash) paid with respect to all services performed subsequent to the thirty-first day of December one thousand nine hundred and forty-one and paid or payable with respect to all services performed prior to the first day of January one thousand nine hundred and forty-two except that the term "wages" shall not include

(1) That part of the remuneration which after remuneration equal to three thousand dollars ($3,000) has been paid or becomes payable to an individual by an employer with respect to employment during or for any calendar year is paid or becomes payable to such individual by such employer with respect to employment during the calendar year one thousand nine hundred and forty and during each calendar year thereafter

(2) The amount of any payment made to or on behalf of an employe under a plan or system established by an employer which makes provision for his employes generally or for a class or classes of his employes (including any amount paid by an employer for insurance or ammunities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employe (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employe) of the tax imposed upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments made by an employer to employes while in the military or naval service of the United States and performing no services for the employer

(y) "Wages of a Compensated Employe" with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars ($1,366) in wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employe's weekly benefit rate

[(v)] (z) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(z.1) "American vessel" means any vessel documented and numbered under the laws of the United States including any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state

(z.2) "Shipping Articles" means 'Articles of Agreement' purporting to comply with section five hundred sixty-four of Title forty-six of the United States Code or any other agreement under which officers or members of the crew are employed on the high seas and under which they are not entitled to a final settlement of wages until the termination of the period of the employment

Section 2 Section two hundred and two of said act as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) is hereby further amended to read as follows

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such offices and in the department as he may deem necessary to administer this act subject to the provisions of [section two hundred and eight of this act] the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752)

The department is authorized to cooperate with or to enter into agreements with the Railroad Retirement Board or any other agency of the United States charged with the administartion of an unemployment compensation law with any political subdivision of this State or with any private nonprofit organization with respect to the establishment maintenance and use of free employment service facilities and free public employment offices and as a part of any such agreement may accept moneys services or quarters as a contribution to the administration fund

Section 3 Clause (e) of section two hundred and three of said act is hereby amended to read as follows

(e) The Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board Such appointment shall be subject to the provisions of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752) Provided That any person who on the first day of April one thousand nine hundred and forty-five was employed as a referee may make application to the Civil Service Commission prior to the first day of July one thousand nine hundred and forty-five for appointment as a referee under the regular classified service and notwithstanding any provisions of said act or any other act to the contrary upon finding by said Commission that he or she possesses the minimum qualifications therefor shall be so appointed Any other person appointed as referee subsequent to the first day of April one thousand nine hundred and forty-five shall be appointed only in the manner provided in said act for employes in the classified service

Section 4 Section two hundred and six of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 206 Records of and Reports by Employers Each employer (whether or not liable for the payment of contributions under this act) shall keep accurate employment records containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the mem-

bers of the board [and] the officers and employes of the department and [the Social Security Board] other public employes in the performance of their public duties but any [claimant] employe or employer at a hearing on an appeal [of his claim] shall upon request be supplied with information from such records to the extent necessary for the proper presentation and consideration of [his claim] the appeal

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

[Any employer required to file with the department any report necessary to enable the department to determine the amount of any contribution owning by such employer who shall neglect or refuse to do so within five days after the time such report should have been filed shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of five dollars which shall be in addition to all other penalties provided for in this act]

Any employer who has been determined by the department to be subject to the reporting provisions of this act and has been so notified and who neglects or refuses to file either the periodic report required by the department to establish the amount of such contributions or the periodic report required by the department showing the amount of wages paid to each employe or both on or before the date such reports are required to be filed shall pay a penalty of five dollars ($5.00) Such penalty shall apply to the reports for each period with respect to which such reports are required to be filed Provided That such penalty shall not apply to reports for any period with respect to which the last day for filing such reports is prior to a date on which the department has notified the employer that he has been determined an employer subject to the reporting provisions of this act unless the reports for such prior periods are not filed within thirty days after the employer has been so notified The penalties provided by this section shall be in addition to all other penalties provided for in this act

Section 5 Section three hundred and one of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred and forty-three (P. L. 639) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contributions equal to the following percentages of wages paid or payable by him or it with respect to employment occurring prior to the first day of January one thousand nine hundred and forty-two

(1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

(2) One and eight-tenths per centum with respect to employment occurring during the calendar year 1937

(3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 and 1941 [1942 and 1943]

[(4) A basic rate of two and seven-tenths per centum with respect to employment occurring during the calendar year 1944 and for each calendar year thereafter but the rate of contribution of each employer who has paid contributions under this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year beginning with employment occurring during the calendar year 1944 between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with clause (c) hereof and for each calendar quarter in accordance with clause (f) hereof]

[(b) For the purposes of this section

(1) "Compensated Employe" means an employe to whom compensation was paid in a benefit year

(2) "Wages of a compensated employe" means wages which were paid to a compensated employe in the base year immediately preceding the employe's benefit year which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid

(3) "Credit for reemployment" means for each employer the total of the amounts allowed as herein set forth for any former employes reemployed by him or employes resuming work commencing with the benefit years which begin in the calendar year nineteen hundred forty-one An employer who desires such a "credit for reemployment" shall notify the department in writing within thirty days after the end of the employe's benefit year that he reemployed within such benefit year a compensated employe For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act whichever date is later If the department finds that any such employe did not receive benefits within such benefit year in excess of seventy-five per centum of the maximum benefits payable to him in the benefit year then for the determination of the "employer's experience" the total wages paid to such compensated employes shall be reduced by an amount equal to the percentage indicated in the following table

Maximum benefits received by an employe during a benefit year	Credit against wages paid to a compensated employe
Not more than 25%	75%
More than 25% and not more than 50%	50%
More than 50% and not more than 75%	25%

Such credits for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter shall be made for the calendar year in which the finding is made by the department and no attempt shall be made to relate such credits to the period in which the reemployment occurred

(4) "Employer's Experience" means a percentage obtained by dividing the total wages paid by an employer to his compensated employes less any credit for reemployment during the last three completed calendar years by the total wages paid by said employer to all his employes during such three calendar years

(5) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund during the last three completed calendar years by the total wages of all compensated employes for such three years such percentage to be adjusted to the nearest multiple of one per centum]

Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him or it with respect to employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one Provided That notwithstanding the provisions of this section prior to the effective date of this amendment with respect to wages paid during the calendar year one thousand nine hundred and forty-four for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during the calendar year one thousand nine hundred and forty-five for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted according to the provisions of this act prior to the effective date of this amendment and provided further that with respect to wages paid during the calendar year one thousand nine hundred and forty-six for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during each calendar year thereafter for employment occurring subsequent to the thirty-first day of December one thousand

nine hundred and forty-one such percentage may be adjusted between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable Notwithstanding the provisions of section three hundred eleven any employer who prior to the enactment of this amendment may have paid contributions on wages paid during the calendar year one thousand nine hundred forty-four or one thousand nine hundred forty-five for employment occurring prior to the first day of January one thousand nine hundred forty-four at a rate of two and seven-tenths per centum such employer shall not be entitled to a refund of any portion of such contributions paid on the basis that this amendment reduces the amount of contributions required to be paid with respect to such wages but such employer may make application for adjustment in connection with subsequent contribution payments as provided in section three hundred eleven of any amount which he has paid with respect to such wages which is in excess of the amount of contributions required to be paid with respect to such wages under the provisions of this act as amended

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year commencing with the year one thousand nine hundred and forty-four shall be determined prior to the due date of his first contribution for the year in accordance with the following table

Table

State Experience	Employer's Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there first appears a percentage equal to or in excess of the Employer's Experience If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenths per centum

(e) No employer's rate of contribution for any calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the third calendar quarter of the preceding calendar year together with interest due thereon have been paid by the thirty-first day of December [31st] of such preceding calendar year and all his contributions on wages paid during the fourth calendar quarter of the preceding calendar year have been paid when due

(f) Safety factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter commencing with the calendar quarter ending [March 31 1944] the thirty-first day of March one thousand nine hundred and forty-four the balance in the Unemployment Trust Fund to the credit of the [State] Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employes [for the calendar year immediately preceding the determination] paid during the first four of the last five completed calendar quarters as reported to the department by the end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made

Balance in fund	Employer's Rate of Contribution determined in accordance with paragraph (d)				
	1%	1.5%	2.0%	2.5%	2.7%
	Employer's [final] adjusted rate of contribution on wages paid during the calendar quarter at the end of which the adjusted rate is computed [for employment in the previously completed calendar quarter]				
8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0% and less than 8.1%	1.1	1.6	2.1	2.6	2.7
7.9% and less than 8.0%	1.2	1.7	2.2	2.7	2.7
7.8% and less than 7.9%	1.3	1.8	2.3	2.7	2.7
7.7% and less than 7.8%	1.4	1.9	2.4	2.7	2.7
7.6% and less than 7.7%	1.5	2.0	2.5	2.7	2.7
7.5% and less than 7.6%	1.6	2.1	2.6	2.7	2.7
7.4% and less than 7.5%	1.7	2.2	2.7	2.7	2.7
7.3% and less than 7.4%	1.8	2.3	2.7	2.7	2.7
7.2% and less than 7.3%	1.9	2.4	2.7	2.7	2.7
7.1% and less than 7.2%	2.	2.5	2.7	2.7	2.7
7.0% and less than 7.1%	2.1	2.6	2.7	2.7	2.7
6.9% and less than 7.0%	2.2	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.3	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.4	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.5	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.6	2.7	2.7	2.7	2.7
[6.4 or less] Less than 6.5%	2.7	2.7	2.7	2.7	2.7

(g) Successor-in-interest (1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) An employer who subsequent to the thirty-first day of December one thousand nine hundred and forty-five transfers his or its organization trade or business in whole or in part to a successor-in-interest may jointly make application with such successor-in-interest for transfer of the "Employer Experience" of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer The department may allow such transfer of "Employer Experience" pursuant to rules and regulations adopted by the department only if it finds that the "Employer Experience" of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future

"Employer Experience" of the successor-in-interest In the event of a part transfer of an employer's organization trade or business only that portion of the "Employer's Experience" relating to the portion of the organization trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred A transfer of "Employer Experience" in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be which has been thus transferred

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f) The department shall [promptly upon written request from him] furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes [the amount of benefits paid each of such employes and the period of unemployment for which they were paid] and the benefit year to which such wages relate The determination of the department shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No question shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the secretary or his deputy The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section

(k) [The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature which meets after the President of the United States declares that the present state of war no longer exists]

Each employer shall be given notice of the filing of applications for benefits by his former employes as provided in section five hundred one Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any wages of a compensated employe on the grounds that he was not given sufficient or adequate notice or opportunity to be heard

(1) The provisions of this section shall be effective only for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the Legislature which meets after the President of the United States declares that the present state of war no longer exists

Section 6 Section three hundred and three of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 303 [Period and Termination of Contributions (a) Any employer who or which becomes subject to this act during any calendar year shall be subject to and shall pay the contributions required by this act during the whole of such calendar year

(b) Any employer subject to this act shall cease to be so subject only upon written application to the department and finding by the department that neither (1) during the previous calendar year nor (2) during that part of the current calendar year which precedes the date on which such application was filed has he employed any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty days each day being in a different week whether or not such weeks are consecutive] Wages Paid for Employment under Shipping Articles Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employe

Section 7 Sections three hundred and eight point one three hundred and eleven and subsection (d) of section three hundred and twelve of said act as amended or added by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) are hereby amended or further amended as the case may be to read as follows

Section 308.1 Contributions to Be Liens Entry Thereof All contributions and the interest and penalties thereon due and payable by an employer under the provisions of this act shall be a lien upon the franchises and property both real and personal of the employer liable therefor from the date a lien for such contributions interests and penalties is entered of record in the manner hereinafter provided Whenever the franchises or property of an employer is sold at a judicial sale all contributions and the interest and penalties thereon thus entered of record shall first be allowed and paid out of the proceeds of such sale in the same manner and to the same extent that State taxes are paid Provided however That the lien hereby created shall not be prior to pre-existing duly recorded real estate mortgages [subject nevertheless to the order of distribution prescribed in Section 310 hereof] The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for unpaid contributions interest and penalties which may now exist or hereafter arise upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 311 Refunds and Adjustments [If not later than four years from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected for any reason

whatever the department shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of moneys to the credit of the Employers' Contribution Account in the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department]

If any individual or organization shall make application for refund or credit of any amount paid as contribution interest or penalties under this act and the department shall determine that such amount or any portion thereof was erroneously collected the department may at its discretion either allow a credit therefor without interest in connection with subsequent contribution payments or shall refund from the Unemployment Compensation Fund without interest the amount erroneously paid No refund or credit shall be allowed with respect to a payment as contributions interest or penalties unless an application therefor shall be made on or before whichever of the following dates shall be the latter (a) one year from the date on which such payment was made or (b) four years from the last day of the reporting period with respect to which such payment was made For a like cause and within the same period a refund may be so made or a credit allowed on the initiative of the department

Section 312 Reciprocal Agreements

* * * * * *

(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of this act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for [such] reimbursement to the fund of [such] contributions [and the actual earnings thereon as the department finds will be fair and reasonable as to all affected interests]

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits for all the purposes of this act The department is authorized to make to other state or Federal agencies and to receive from such other state or Federal agencies reimbursements from or to the fund in accordance with arrangements entered into pursuant to this section

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging services and making available facilities and information The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public employment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security law of this State or under a similar law of such government

(e) Services performed on vessels engaged in interstate or foreign commerce for a single employer wherever performed shall be deemed to be performed within this State or within such other states

Section 8 Section four hundred and one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes [totally] unemployed [on or after January first one thousand nine hundred thirty-eight] except that payment with respect to weeks ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be made only for weeks of total unemployment as provided in section four hundred and four (c) and who

(a) Has within his base year been paid wages [of fifty dollars in each of two separate calendar quarters during his base year] for employment equal to not less than thirty (30) times his weekly benefit rate

(b) Has registered for work at [a designated employment office at such times and in such manner as the department may prescribe] and thereafter continued to report at an employment office in accordance with such regulations as the secretary may prescribe except that the secretary may by regulation waive or alter either or both of the requirements of this clause as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of the act Provided however That no such regulation shall conflict with section four hundred and one (c) of this act

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner and on the form prescribed by the department

(d) Is able to work and available for suitable work and

(e) Has been [totally] unemployed for a waiting period of [at least two weeks prior to the week for which the first compensable claim is filed The two weeks of total unemployment need not be consecutive] one week

No week shall be counted as a week of [total] unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the pensation [Provided That the two weeks immediately preceding a benefit year shall be deemed (for the purpose of this subsection only) to be within such benefi year] or (2) if compensation has been paid or is payabl with respect thereto or (3) unless the [individual] emplove was eligible for compensation with respect theret under all other provisions of this section and was no disqualified with respect thereto under section 402 (a (b) [and] (d) (e) and (f)

Section 9 Section four hundred and two of sai act as last amended by the act approved the twenty first day of May one thousand nine hundred and forty three (P. L. 337) is hereby further amended to read a follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation [or waitin period credit] for any week

(a) In which his unemployment is due to failure with out good cause either to apply for suitable work at suc time and in such manner as the department may prescribe or to accept suitable work when offered to hir by the employment office or by [his previous employe In determining whether or not any work is suitable fo an individual the department shall consider the degre of risk involved to his health safety and morals his physical fitness and prior training and experience and th distance of the avalaible work from his residence] an employer Provided That such employer simultaneousl notifies the employment office of such offer

(b) In which his unemployment is due to voluntaril leaving work without good cause Provided That no employe shall be deemed to be ineligible under this sectio where as a condition of continuing in employment suc

employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions In determining whether or not an employe has left his work voluntarily without good cause the department shall give consideration to the same factors insofar as they are applicable provided with respect to the determination of suitable work under section four (t)

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) In which [the employe's total] his unemployment is due to a voluntary suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed [but this disqualification shall apply only to the week in which the suspension occurred and for the three consecutive weeks of total unemployment which immediately follow such week] Provided That this disqualification shall apply only to any week of unemployment which in whole or in part includes any part of a period beginning with the day on which such suspension occurs and ending with (i) the last day of the fourth calendar week immediately following the calendar week in which such suspension occurs or (ii) the day on which such suspension was terminated whichever is the earlier

(e) In which his unemployment is to his discharge or temporary suspension from work for willful misconduct connected with his work

(f) Which in whole or in part includes any part of the two week period which immediately follows each period of employment under Shipping Articles

Section 10 Sections four hundred and four and four hundred and seven of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (Pamphlet Laws 717) are hereby further amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid with respect to each eligible employe whose benefit year [began] begin prior to June first one thousand nine hundred [and forty-three] forty-five in accordance with the provisions of this act prior to that date and with respect to each eligible employe whose benefit year begins subsequent to May thirty-first one thousand nine hundred and [forty-three] forty-five [and who is totally unemployed and is not disqualified under any provisions of this act at a weekly rate and for a number of weeks to be determined in accordance with the following provisions by reference to Table I if the balance in the Unemployment Compensation Fund is in excess of one and one-half times the highest amount paid out for compensation during any twelve consecutive months or to Table II if the balance in said fund is equal to or less than one and one-half times the highest amount paid out for compensation during any twelve consecutive months as set forth in the tables in this section] in accordance with the following provisions of this section

(a) The employe's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

[(d)] (b) The "highest quarterly wages" of an employe shall be the total wages (computed to the nearest dollar) which were paid to such employe in that calender quarter in which such total wages were highest during the base year

(c) Each eligible employe who is totally unemployed with respect to any week ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate No payment shall be made for any week ending during such period unless the employe has been totally unemployed with respect to such week and has served one waiting week as required under section four hundred one (e) Provided That with respect to such week the employe has been totally unemployed For purposes of this subsection an employe shall be deemed totally unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or to any week of less than fulltime work if the remuneration paid or payable to him with respect to such week does not exceed three dollars ($3.00)

(d) Each eligible employe who is unemployed with respect to any week ending the first day of January one thousand nine hundred and forty-six or thereafter shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars ($3.00) such compensation if not a multiple of one dollar ($1.00) shall be computed to the next higher multiple of one dollar ($1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of eighteen dollars ($18)

(e) [The maximum number of weeks for which an employe may receive compensation for total unemployment during a benefit year shall be the number of weeks which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year]

Any otherwise eligible employe shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employe shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of sixteen times the employe's weekly benefit rate or two hundred and eighty-eight dollars ($288) whichever is the lesser

(f) For purposes of this section wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the calendar quarter in which they were earned

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C	
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 7 Weeks	8 Weeks
$50-212	$8	$100-209	$210-237

213-237	9	221-235	236-267
238-262	10	247-262	263-297
263-287	11	273-288	289-326
288-312	12	299-314	315-356
313-337	13	325-340	341-385
338-362	14	351-366	367-415
363-387	15	377-393	394-445
388-412	16	403-419	420-475
413-437	17	429-445	446-505
438 or more	18	455-472	473-535

Part A	Part B	Part C		
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$238-265	$266-293	$294-321
213-237	9	268-298	299-330	331-361
238-262	10	298-332	333-367	368-402
263-287	11	327-365	366-403	404-442
288-312	12	357-398	399-440	441-482
313-337	13	386-431	432-476	477-522
338-362	14	416-464	465-513	514-562
363-387	15	446-498	499-550	551-603
388-412	16	476-531	532-587	588-643
413-437	17	506-564	565-624	625-683
438 or more	18	536-598	599-661	662-724]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C	
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 12 Weeks	13 Weeks
$50-212	$8	$322-349	$350-377
213-237	9	362-393	394-424
238-262	10	403-437	438-472
263-287	11	443-480	481-519
288-312	12	483-524	525-566
313-337	13	523-567	568-613
338-362	14	563-611	612-660
363-387	15	604-655	656-708
388-412	16	644-699	700-755
413-437	17	684-743	744-802
438 or more	18	725-787	788-850

Part A	Part B	Part C		
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$378-405	$406-433	$434 or more
213-237	9	425-456	457-487	488 or more
238-262	10	473-507	508-542	543 or more
263-287	11	520-557	558-596	597 or more
288-312	12	567-608	609-650	651 or more
313-337	13	614-658	659-704	705 or more
338-362	14	661-709	710-758	759 or more
363-387	15	709-760	761-813	814 or more
388-412	16	756-811	812-867	868 or more
413-437	17	803-862	863-921	922 or more
438 or more	18	851-913	914-976	977 or more]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C		
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 6 Weeks	7 Weeks	8 Weeks
$50-212	$8	$100-207	$208-239	$240-271
213-237	9	221-233	234-269	270-305
238-262	10	247-259	260-299	300-339
263-287	11	273-285	286-329	330-373
288-312	12	299-311	312-359	360-407
313-337	13	325-337	338-389	390-441
338-362	14	351-363	364-419	420-475
363 or more	15	377-389	390-449	450-509

Part A	Part B	Part C		
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$272-303	$304-335	$336-367
213-237	9	306-341	342-377	378-413
238-262	10	340-379	380-419	420-459
263-287	11	374-417	418-461	462-505
288-312	12	408-455	456-503	504-551
313-337	13	442-493	494-545	546-597
338-362	14	476-531	532-587	588-643
363 or more	15	510-569	570-629	630-689]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C	
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 12 Weeks	13 Weeks
$50-212	$8	$368-399	$400-431
213-237	9	414-449	450-485
238-262	10	460-499	500-539
263-287	11	506-549	550-593
288-312	12	552-599	600-647
313-337	13	598-649	650-701
338-362	14	644-699	700-755
363 or more	15	690-749	750-809

Part A	Part B	Part C		
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$432-463	$464-495	$496 or more
213-237	9	486-521	522-557	558 or more
238-262	10	540-579	580-619	620 or more
263-287	11	594-637	638-681	682 or more
288-312	12	648-695	696-743	744 or more
313-337	13	702-753	754-805	806 or more
338-362	14	756-811	812-867	868 or more
363 or more	15	810-869	870-929	930 or more]

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C		
Highest Quarterly Wages	Weekly Benefit Rate	Base Year Wages 9	10	11
$60-212	$8	$240-265	$266-293	$294-321
213-237	9	270-298	299-330	331-361
238-262	10	300-332	333-367	368-402
263-287	11	330-365	366-403	404-442
288-312	12	360-398	399-440	441-482
313-337	13	390-431	432-476	477-522
338-362	14	420-464	465-513	514-562
363-387	15	450-498	499-550	551-603
388-412	16	480-531	532-587	588-643
413-437	17	510-564	565-624	625-683
438-462	18	540-598	599-661	662-724
463-487	19	570-632	633-698	699-765
488 or more	20	600-665	666-735	736-805

Part A	Part B	Part C		
Highest Quarterly Wages	Weekly Benefit Rate	Base Year Wages 12	13	14
$60-212	$8	$322-349	$350-377	$378-405
213-237	9	362-393	394-424	425-456
238-262	10	403-437	438-472	473-507
263-287	11	443-480	481-519	520-557
288-312	12	483-524	525-566	567-608
313-337	13	523-567	568-613	614-658
338-362	14	563-611	612-660	661-709
363-387	15	604-655	656-708	709-760
388-412	16	644-699	700-755	756-811
413-437	17	684-743	744-802	803-862
438-462	18	725-787	788-850	851-913
463-487	19	766-831	832-898	899-964
488 or more	20	806-875	876-945	946-1015

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C		
Highest Quarterly Wages	Weekly Benefit Rate	Base Year Wages 15	16	17
$60-212	$8	$406-433	$434-461	$462-489
213-237	9	457-487	488-519	520-550
238-262	10	508-542	543-577	578-612
263-287	11	558-596	597-634	635-673
288-312	12	609-650	651-692	693-734
313-337	13	659-704	705-749	750-795
338-362	14	710-758	759-807	808-856
363-387	15	761-813	814-865	866-918
388-412	16	812-867	868-923	924-979
413-437	17	863-921	922-981	982-1040
438-462	18	914-976	977-1039	1040-1102
463-487	19	965-1031	1032-1097	1098-1164
488 or more	20	1016-1085	1086-1155	1156-1225

Part A	Part B	Part C		
Highest Quarterly Wages	Weekly Benefit Rate	Base Year Wages 18	19	20
$60-212	$8	$490-517	$518-545	$546 or more
213-237	9	551-582	583-613	614 or more
238-262	10	613-647	648-682	683 or more
263-287	11	674-711	712-750	751 or more
288-312	12	735-776	777-818	819 or more
313-337	13	796-840	841-886	887 or more
338-362	14	857-905	906-954	955 or more
363-387	15	919-970	971-1023	1024 or more
388-412	16	980-1035	1036-1091	1092 or more
413-437	17	1041-1100	1101-1159	1160 or more
438-462	18	1103-1165	1166-1228	1229 or more
463-487	19	1165-1230	1231-1297	1298 or more
488 or more	20	1226-1295	1296-1365	1366 or more

Section 407 [Status Preserved During and After Military or Naval Service The secretary is hereby empowered and directed to promulgate such rules and regulations as may be necessary to preserve the compensation rights of any employe who enters the armed forces of the United States subsequent to the thirty-first day of March one thousand nine hundred forty and who is honorably discharged therefrom Such rules and regulations shall provide that the compensation rights of any such employe shall be preserved notwithstanding his entrance into the armed forces of the United States and such compensation rights shall not be adversely affected or prejudiced notwithstanding any inconsistent provisions of this act Provided however That no employe may be granted any right under the provisions of this section unless he shall have filed a claim for compensation within a period of one year from the date of such discharge And provided further That if under an Act of Congress payments with respect to unemployment of individuals who have completed a period of military service are payable by the United States such individuals shall be disqualified under this act for benefits until they have exhausted all their rights to such payments by the United States]

Compensation to Members of the Armed Forces An individual who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable after active service of ninety days or more or by reason of an injury or disability incurred in service in line of duty shall be entitled to payment of compensation as provided in section four hundred and four (c) (d) and (e) with respect to an employe who has been paid wages during his base year of one thousand three hundred and sixty-six dollars ($1366) or more and whose highest quarterly wages during such base year have been four hundred and eighty-eight dollars ($488) or more Provided That (a) Such individual

(i) was employed in employment as defined in section 4 (1) at some time during the one-year period immediately preceding the date on which he entered active military or naval service and (ii) makes application for benefits under the provisions of this section in the proper manner and on the form prescribed by the department (iii) makes claim for compensation in the proper manner and on the form prescribed by the department with respect to employes making claim for compensation under the provisions of other sections of this act (iv) is qualified under the provisions of section four hundred and one (b) (d) and (e) (v) is not ineligible under the provisions of section four hundred and two and (vi) has exhausted all rights to which he may be entitled under Title V of the Act of Congress known as the "Servicemen's Readjustment Act of 1944"

(b) All claims for compensation filed pursuant to the provisions of this section shall be with respect to weeks ending within the two year period immediately following the date of such individual's discharge or release from active military or naval service

(c) The maximum amount of compensation payable to an individual under the provisions of this section as amended shall be reduced by the amount of compensation if any which has been paid or is payable to such individual under the provisions of this section prior to the effective date of this amendment

(d) No individual who is entitled to compensation under the provisions of this section shall be entitled to compensation under any other provisions of this act with respect to wages paid prior to the date he entered active military or naval service and

(e) No compensation shall be paid under the provisions of this section with respect to weeks ending on a day more than five years subsequent to the termination of the present war

Section 11 Section five hundred and one of said act as amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 501 [Initial Determination of Compensation Appeals The department shall promptly examine any application for benefits or claim filed and on the basis of the facts found by it shall determine whether or not the application for benefits or claim is valid The determination of any application for benefits shall include the determination of the first day of the benefit year the weekly benefit rate and the number of benefit weeks payable The claimant and other affected parties shall be promptly notified of the decision and the reason therefor in writing except that no notification shall be necessary when the department shall approve a claim for a week of total unemployment Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his

last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal]

Determination of Compensation Appeals

(a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the "Employer Experience" of a base year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base year employer and Provided further That no notice need be given to a base year employer who has been released by the department from filing contribution reports

(b) Notice shall be given in writing to the last employer of the claimant stating that an application has been filed by the designated employe

(c) The department shall promptly examine each claim for waiting week credit and each claim for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid

Notice of such determination need not be given to the claimant if the claim is determined valid but if the claim is determined invalid notice shall be given by the department in writing to the claimant stating that the claim is invalid and the reason therefor

Notice of such determination need not be given to any base year employer or last employer of the claimant unless such base year employer or last employer has filed with the department information in writing which might raise a question as to the eligibility of the claimant for any reason other than his failure to comply with the provisions of section four hundred one (a) in which event notice shall be given as provided herein

If an employer files with the department such information within ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is on or before the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

If an employer files with the department such information more than ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall only issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is within the thirty-day period which immediately precedes the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

(d) The department shall notify any employer or claimant who has been notified as required under subsections (a) and (c) of this section of any revision made in the determination as contained in the original notice given to such employer or claimant

(e) Unless the claimant or last employer or base year employer of the claimant files an appeal with the board from the determination contained in any notice required to be furnished by the department under section five hundred and one (a) (c) and (d) within ten (10) calendar days after such notice was delivered to him personally or was mailed to his last known post office address and applies for a hearing such determination of the department with respect to the particular facts set forth in such notice shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal

Section 12 Section six hundred and one of said act is hereby amended to read as follows

Section 601 Unemployment Compensation Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Unemployment Compensation Fund All contributions together with penalties and interest thereon received or collected by the department from employers under the provisions of this act shall be paid into the Unemployment Compensation Fund and shall be credited by the department to a ledger account to be known as the Employer's Contribution Account All moneys from time to time received and credited to the Employers' Contribution Account (exclusive of refunds made under section three hundred eleven) shall be paid promptly by the department into the Unemployment Trust Fund except as otherwise provided in [section] sections six hundred and one point one and six hundred five of this act

As often as may be necessary the department shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requisitioned funds the department shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the Compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act All moneys to the credit of the Compensation Account shall be mingled and undivided The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 13. Said act is hereby amended by adding after section six hundred and one a new section to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Special Administration Fund An amount equal to all moneys which have been collected as interest and penalties and which are hereafter credited to the Employer's Contribution Account together with all interest and penalties which are hereafter credited to individual employer accounts as interest or penalties on the basis of credits allowed by the department under the provisions of section three hundred eleven less an amount equal to all refunds hereafter made and credits hereafter allowed of interest and penalties under section three hundred eleven shall be transferred from time to time from the Unemployment Compensation Fund (Employer's Contribution Account) to the Special Administration Fund The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against

federal grants or other funds received for or in the Administrative Fund Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act But nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided upon requisition of the Secretary and certification by him that no other funds are available or can properly be used to finance such expenditures The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided

Section 14 Section six hundred and two point one of said act as added by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 845) is hereby amended to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one from the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivision and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys [appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the legislature the amount required for such replacement] transferred from the Special Administration Fund or by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred and two of this act This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 15 Section six hundred and three of said act is hereby amended to read as follows

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund [and] the Administration Fund and the Special Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board of this Commonwealth Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in section six hundred one) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwitstanding all payments from such funds shall be made under such systems of requisitioning and accounting as the Governor the State Treasurer and Secretary shall determine

Section 16 Said act is hereby amended by adding after section six hundred and six a new section to read as follows

Section 607 Moneys Advanced Under Title XII of the Social Security Act The Secretary is authorized and directed to apply for an advance of moneys and to accept the responsibility for the repayment of such advance in accordance with the conditions specified in Title XII of the Social Security Act as amended in order to secure to this Commonwealth the advantages available under the provisions of such title Notwithstanding the provisions of Section six hundred and two point two all moneys received under Title XII of the Social Security Act as amended shall be credited to the account of the Commonwealth in the Unemployment Trust Fund and shall be mingled and undivided with other moneys in such fund Such moneys thus advanced and placed to the credit of the Commonwealth in the Unemployment Trust Fund shall be subject to requisition for the payment of compensation as provided in Section six hundred and one with respect to all other moneys to the credit of the Commonwealth in such fund

Section 17 Except as otherwise provided herein the provisions of this act shall become effective the first day of June one thousand nine hundred and forty-five except that the provisions of section 6 and of subsection (j) (1) (z.1) and (z.2) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-five and the provisions of section five and of subsections (e) (k) (s) and (y) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-six

On the question,

Will the House agree to the bill on third reading?

Mr. COHEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1 (Sec. 4) page 6, line 16, by inserting lightface brackets before and after the word and figure "twenty (20)" and inserting immediately thereafter the following: "one or more".

Amend Section 1 (Sec. 4) page 6, lines 16 and 17 by striking out the words, "each day being in a different calendar week".

Amend Section 1 (Sec. 4) page 11, by inserting between lines 22 and 23 the following:

(6) [Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivisions.] Service performed in the employ of any other state or any political subdivision thereof or any instrumentality of any one or more of the foregoing which is wholly owned by one or more states or political subdivisions and any service performed in the employ of any instrumentality of one or more other states or their political subdivisions to the extent that the instrumentality is with respect to such service exempt under the Constitution of

the United States from the tax imposed by section 1600 of the Federal Internal Revenue Code.

* * * * *

Amend Section 1 (Sec. 4) page 12 by inserting between lines 27 and 28, the following:

(17) Service performed by an individual for an employer as [an insurance agent or] a real estate salesman or [as an insurance solicitor or] as a real estate broker if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication.

Amend Section 1 (Sec. 4) page 12 by inserting between lines 20 and 21 the following:

(20) Notwithstanding any of the other provisions of this subsection services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State Unemployment Compensation Fund.

* * * * *

Amend Section 1 (Sec. 4) page 15, lines 16 to 29 inclusive by striking out all of said lines.

Amend Section 1 (Sec. 4) page 16, lines 1 to 4 inclusive by striking out all of said lines and inserting in lieu thereof the following:

[(s)] (u) "Total Unemployment", [An individual shall be deemed totally unemployed with respect (1) to any week during which he performs no services for which remuneration is paid or payable to him or (2) to any week less than fulltime work if the remuneration paid or payable to him does not exceed three dollars ($3.00).] means the total lack of any employment or wages payable on any day including employment not subject to this act.

* * * * *

Amend Section 1 (Sec. 4) page 18, lines 28 and 29 by striking out all of said lines.

Amend Section 1 (Sec. 4) page 19, lines 1 and 2 by striking out all of said lines and inserting in lieu thereof the following:

[(v)] (z) "Week" means any calendar week ending at midnight Saturday or [the equivalent thereof as determined in accordance with general rules adopted by the department] any seven consecutive calendar days or each accumulation of four effective days which need not be consecutive.

* * * * *

[(w)] (z.a) "Effective day" means a full day of total unemployment provided such day falls within a week in which an employe had four or more days of total unemployment and provided further that only those days of total unemployment in excess of three days within such week shall be deemed "effective days" An employe who is employed on a shift continuing through midnight shall be deemed to have been employed only on the day beginning before midnight with respect to such shift.

Amend Section 8 (Sec. 401) page 41, lines 23 to 26 inclusive by striking out all of said lines and inserting in lieu thereof the following:

(a) [Has within his base year been paid wages of fifty dollars in each of two separate calendar quarters during his base year.] Has during his base period been paid wages equal to not less than the amount appearing in column "C" of the table in section four hundred four of the line on which in column "B" of that table appears his weekly benefit rate. Provided, however; That an unemployed individual who has paid wages for more than one calendar quarter of his base period but who has not been paid wages in an amount equal to the amount appearing in column "C" of the table in section four hundred four thereof on the line in which in column "B" there appears his weekly benefit rate but has been paid an amount of wages equal to or greater than the amount appearing in column "C" of the table on the line immediately above the line on which appears his weekly benefit rate shall be deemed to have qualified for the weekly benefit rate and the maximum total benfits in the benefit year appearing on the line in the table immediately above the line in which falls the wages paid in the highest quarter of his base period.

Amend Section 8, (Sec. 401), page 42, line 17, by inserting after the word "and" the following:

Provided, however, That subject to such limitations and conditions as the department may prescribe an unemployed individual shall not be ineligible by reason of unavailability for work during a period of vocational training in a vocational training program maintained by a Federal, State or other public agency when his unavailability is due solely to requirements with respect to attendance at and completion of such training and

Amend Section 9 (Sec. 402), page 43, line 15, by inserting after the word "week" the following: or accumulation of four effective days or waiting period credit for any week.

Amend Section 9 (Sec. 402), page 45, line 4, by striking out the word "fourth" and inserting in lieu thereof: third.

Amend Section 9 (Sec. 402) page 45, lines 22, 23 and 24, by striking out all of said lines.

Amend Section 10 (Sec. 404) page 46, lines 6 to 28 inclusive by striking out the words "Rate and Amount of Compensation. Com-" in line 6, all of lines 7 to 28 inclusive.

Amend Section 10 (Sec. 404) page 47, lines 1 to 29 inclusive by striking out all of said lines.

Amend Section 10 (Sec. 404) page 48, lines 1 to 29 inclusive by striking out all of said lines.

Amend Section 10 (Sec. 404) page 49, lines 1 to 13 inclusive by striking out all of said lines and inserting in lieu thereof the following:

Rate and Amount of Compensation.—Compensation shall be paid with respect to each eligible employe whose benefit year began prior to June first, one thousand nine hundred and forty-three, in accordance with the provisions of this act prior to that date, and with respect to each eligible employe whose benefit year begins subsequent to May thirty-first, one thousand nine hundred and forty-three, and who is totally unemployed and is not disqualified under any provisions of this act, at a weekly rate and for a number of weeks to be determined in accordance with the following provisions by reference to Table I, if the balance in the Unemployment Compensation Fund is in excess of one and one-half times the highest amount paid out for compensation during any twelve consecutive months, or to Table II, if the balance in said fund is equal to or less than one and one-half times the highest amount paid out for compensation during any twelve consecutive months as set forth in the tables in this section.

(a) The employe's weekly benefit rate shall be that rate which appears in "PART B" and which is on the same horizontal line in "PART A" as the interval which includes his "highest quarterly wage."

(d) The "highest wages" of an employe shall be the total wages (computed to the nearest dollar) which were paid to such employe in that calendar quarter in which such total wages were highest during the base year.

(e) The maximum number of weeks for which an employe may receive compensation for total unemployment during a benefit year shall be the number of weeks which appears at the top of a column under "PART C", to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year.

Amend Section 10 (Sec. 404) page 54, lines 1 to 20 inclusive by striking out all of said lines.

Amend Section 10 (Sec. 404) page 55, lines 1 to 20 inclusive by striking out all of said lines, and inserting in lieu thereof the following:

Rate and Amount of Compensation. Compensation shall be paid with respect to each eligible employee

whose benefit year began prior to June first one thousand nine hundred forty-five in accordance with the provisions of this act prior to that date and with respect to each employee whose benefit year begins subsequent to May thirty-first one thousand nine hundred forty-five in accordance with the following provisions of this subsection.

(a) The employee's weekly benefit rate shall be the amount appearing in Column "B" in the table in this subsection on the line on which in Column "A" of such table there appears the total wages paid to such individual in that quarter of his base period in which such total wages were highest.

Column A Wages paid in highest quarter of base period	Column B Weekly benefit rate	Column C Qualifying wages in base period	Column D Maximum total benefits in benefit year
75.00-200.00	10.00	300.00	260.00
200.01-220.00	11.00	330.00	286.00
220.01-240.00	12.00	360.00	312.00
240.01-260.00	13.00	390.00	338.00
260.01-280.00	14.00	420.00	364.00
280.01-300.00	15.00	450.00	390.00
300.01-320.00	16.00	480.00	416.00
320.01-340.00	17.00	510.00	442.00
340.01-360.00	18.00	540.00	468.00
360.01-380.00	19.00	570.00	494.00
380.01-400.00	20.00	600.00	520.00
400.01-420.00	21.00	630.00	546.00
420.01-and over	22.00	660.00	572.00

(b) Weekly Benefit for Unemployment—Each eligible individual who is totally unemployed with respect to any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit rate.

(c) Duration of Benefits—Any otherwise eligible individual shall be entitled during any benefit year to the amount appearing in Column "D" of the table in this section on the line on which in Column "B" of that table appears his weekly benefit rate.

Amend the bill, page 69, by inserting between lines 9 and 10 the following:

Section 17. Sections five hundred one, five hundred four and five hundred five of said act as last amended by the act approved the twenty-third day of April, one thousand nine hundred forty-two, (Pamphlet Laws 60) are hereby further amended to read as follows:

Section 501. Initial Determination of Compensation Appeals. The Department shall promptly examine any application for benefits or claim filed and on the basis of the facts found by it shall determine whether or not the application for benefits or claim is valid. The determination of any application for benefits shall include the determination of the first day of the benefit year the [weekly] benefit rate and the number of benefit weeks or accumulations of four effective days payable. The claimant and other affected parties shall be promptly notified of the decision and the reasons therefor in writing except that no notification shall be necessary when the department shall approve a claim for a week of total unemployment. Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith. In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim, but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken. Provided, That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal.

Section 504. Powers of Board Over Claims.—The board shall have power on its own motion or on appeal to remove transfer or review any claim pending before or decided by a referee and in any such case and in cases where a further appeal is allowed by the board from the decision of a referee may affirm, modify or revise the determination or revised determination as the case may be of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence. When any claim pending before a referee is removed or transferred to the board, the board shall afford the claimant person designated by him and all other affected parties, reasonable opportunity for a fair hearing. The parties shall be duly notified of the board's final decision and the reasons therefor. A complete record shall be kept of each case heard before the board. All testimony at any hearing before the board, whether on appeal or otherwise, shall be taken by a reporter, but need not be transcribed unless the disputed claim is further appealed.

Section 505. Rules of Procedure.—The manner in which appeals shall be taken, the reports thereon required from the department, the claimant and employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board, whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure.

When the same or substantially similar evidence is relevant and material to the matter in issue in applications and claims filed by more than one individual or in multiple applications and claims filed by a single individual, the same time and place for considering each such application and claim may be fixed, hearing thereon jointly conducted, a single record of the proceedings made and evidence introduced with respect to any application or claim considered as introduced with respect to all of such applications or claims. Provided, That in the judgment of the board or referee having jurisdiction of the proceeding such consideration will not be prejudical to any party, and Provided further; That the board shall afford the claimant person designated by him and all other affected parties, a reasonable opportunity for a fair hearing which shall be public, and wherein all evidence shall be taken under oath or affirmation.

Amend Sec. 17, page 69, line 10, by striking out the figure "17" and inserting in lieu thereof: 18.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. COHEN. Mr. Speaker, I will attempt to be very brief in my first statement and will then subject myself to examination and cross examination on this bill.

May I say, Mr. Speaker, initially that I was rather interested in what the gentleman from Delaware, Mr. James, had to say about consideration of compensation bills generally. Very frankly, I think it is an imposition on the part of anybody offering amendments at this time to a bill as technical as this bill is, covering eighty pages. Frankly I think that I could defy almost anybody in the House to go through the bill in a month's time and really get what is being done in the amendments put in by the Senate, and then take an additional month to try to find out what I am trying to do, so I think I will have to ask you to indulge me, Mr. Speaker, and to have faith and trust me.

Whoever discusses the bill is going to give you his honest opinion of what his amendment or amendments are going to do. One of the things I want to say, one of the things I have been battling for on the floor of this House since 1939, is to put into effect in Pennsylvania compensation for partial unemployment. The history and the

reasons for the payments for partial unemployment have been recited on the floor of this House so many times that I shall not review historically the reasons for it. The historical reasons I am leaving to the recollection of the Members who have been here and listened to the debates in other sessions. Pennsylvania at last has come into line, practically at the end of the line of those states which have adopted a plan in the matter of partial unemployment payments.

The bill as it came over from the Senate provided for the payment for the loss of wages due to partial unemployment. This system, which is in effect in almost every state in the union, and in my opinion a rather loose system because I think it leaves the way open to fraud—I mean that the computation of partial unemployment benefits based on loss of wages leaves the way open to fraud, there is an incentive to commit fraud, because the plan proposed and the bill originally provides for loss of wages compensation plus an additional three dollars, and somewhere along the line there is going to be an incentive for somebody to be just a little loose and a little bit careless with the Commonwealth's money to get that additional three dollars. Some, mostly very few employers, are going to use it as a device for getting additional compensation for their workers by giving the three dollars out of the State Fund. But that is not so terribly objectionable if we have to have it, but the amendments which I propose establish a system for paying unemployment benefits based upon loss of time. It is loss of days of employment for which we seek to compensate. It is the plan which is in effect in the state of New York and has been for a few years, and from the best information I can gather is working out very well administratively and can be worked much better in my opinion administratively in Pennsylvania. It will compensate a man not for loss of wages within the benefit limits plus three dollars, with an incentive for grasping for money which does not belong to him, but will give him compensation for the actual time which he loses. The theory is that if a man loses time from unemployment under the act he gets paid for the time that he has lost, without any additional compensation. He gets paid for his time within the minimum and maximum limits under the schedule of the law.

Now, the next thing I want to do is to increase the minimum benefits from eight dollars to ten dollars. You know when we first passed this Act back in December of 1936, we had a minimum of seven dollars and fifty cents and a maximum of fifteen dollars, and I well remember a former Governor who thought it important enough to include in a call for the special session in 1942 the question of unemployment compensation with the demand that we liberalize the law with respect to benefit payments and at that time we were given a very liberal increase of the minimum from seven dollars and fifty cents to eight dollars. We fought for ten dollars then and got licked and we are fighting for ten dollars again, because the fellow that works in the lower bracket ought to get his liberalization as well as the fellow in the top bracket.

Then we are asking that the present maximum of eighteen dollars be increased not only to twenty but to twenty-two dollars, which I feel is very modest. My personal feeling is that it should be infinitely more, but I realize that we can't get too much; I am only asking a maximum of twenty-two dollars, which I consider only a fair amount of increase.

Then I go one step further. I am not satisfied with the duration of the benefits of twenty weeks. I want the benefits to be for the duration of twenty-six weeks, which is in accord with the recommendation of the Council of State Governments which recommends an average of twenty-six weeks and not twenty. New York State, I think, is paying about twenty-four or twenty-five weeks, I am not certain. Many other states are much more liberal than we are. We have not heard from anywhere in the nation that extending the duration limits beyond twenty weeks has wrecked any fund or may wreck any fund in the future.

And then, Mr. Speaker, we have certain other minor but important amendments. We are cutting down on the question of coverage for employers or rather an employer to come under the act if he has employed a person twenty days in twenty weeks, that is at least one day in one week of twenty weeks a year. We want to get the fellow in who has been discharging part time employes, that is, the seasonal employer who perhaps works in any one year nineteen weeks, and who may carry over for the next year for nineteen weeks. He may have a payroll over a thirty week period in two years—and this has happened, a payroll running into millions of dollars, but because in each of two years he has not been in business twenty weeks he has contributed nothing into the fund, and dumped back on the labor market thousands of employes who receive no compensation whatsoever. So we are cutting that down to provide to cover any employee who works at least one day in one week. Let us get all employes covered, extend the coverage to all employes.

Another thing we want to do is to take care of employes who may be the subject of or become a part of the vocational program in industry. We are told by the War Manpower Commission that there are thirty-two thousand industries today in America that have inaugurated a vocational training program, and perhaps thousands upon thousands of men returning at the end of the war will go into this vocational program, and we think they ought to be covered. We are striking out of the bill what I consider a rather vicious proposal, the eligibility distinction with respect to a worker.

There is an attempt to take out from under the act a man who is discharged for willful misconduct in connection with his work. I have turned that term over in my mind now for the past several months. We discussed this particular phrase and that particular phrase of the amendments when the Joint State Government Commission went over its findings, and I still can not get my legal mind set with respect to what might be willful misconduct with respect to a man's work. Could it be willful misconduct under the version of an antagonistic foreman or could it be the boss who thinks it is willful misconduct to over ride his foremen, or could it be willful misconduct by some magic formula that I cannot find? I am thinking of many industries which have unions and which work together beautifully, where they set up machinery for disputes. Is it going to be the grievance committee that will determine the matter of penalizing a man? Shall we accept the findings of a grievance committee to settle disputes without someone having a club over the grievance

committee or the employer or the worker? I think that the term "willful misconduct of an employee on the job" is too much of an opportunity and gives too wide a range for all sorts of differences of opinion in all sorts of industries in Pennsylvania to give us a good working rule, and I am very much afraid, Mr. Speaker, that we might break down in Pennsylvania the fine machinery for the settlement of disputes between employer and employee. So I think we ought to take out that disturbing amendment, and in my amendments I strike out that provision.

That generally, Mr. Speaker, represents the amendments which I propose to offer. We are not asking too much of a minimum, we are not asking too much of a maximum, and as I said, if I had it my way it would be a lot more. The fund now is well over six million dollars and getting bigger. We ought to keep this fund big enough to take up the slack and take up unemployment if and when it hits us. We have got to bear in mind that industry is making a contribution, not paying a tax. They are making a contribution to the workers of Pennsylvania, they are making a contribution and they are paying in addition to wages money for something which Pennsylvania gives its industries, and I defy any other state to say that they can do as well, a labor pool of skilled workers that takes its place second to none. Industry in Pennsylvania profits from the skilled labor pool that we have in Pennsylvania, and pays a very little bit for these men when unemployment comes. I say, Mr. Speaker, that industry on the other hand might be hit a very terriffic wallop if we do not have adequate moneys for unemployment insurance should great unemployment occur and the fund is not adequate, if the amounts of money are not adequate, because if we ever hit the bottom of the barrel again we will have to come back here in session and set up emergency taxes. We still have emergency taxes and we may have to put emergency taxes on top of emergency taxes, and if we ever get to that time, Mr. Speaker, the worker is not going to have money to pay the taxes; it is going to be industry that will have to stand the brunt, and I am thinking it is now that industry ought to be contributing the money when it has the money, when they are making the money and provide for the man out of a job and keeping him from want and keeping him from need so that we will not have to pay relief in Pennsylvania. If we get as liberal as we intended to be all these years, as liberal as I hoped Arthur James would have been, only he ran out on us, and as liberal as Edward Martin said he wanted to be, I think we can go along in this small measure in not only being liberal, but to quote again the gentleman from Westmoreland, let's be fair.

Mr. McDOWELL. Mr. Speaker, as I rise this afternoon to discuss and debate this bill with you, I am mindful of the importance of this legislation as it exists in the United States and particularly in Pennsylvania. It covers a situation that is common, and perhaps too common, of what happens when an unemployed individual presents himself at an employment office and says, "I want a job." They have no job available for him and say to him, "Until such time as we can furnish a job we shall pay you benefits under unemployment compensation at the rates set forth in your particular class."

It is important that we raise our sights now while we are enjoying war-time prosperity, because there are dark clouds on the horizon. Not more than several weeks ago the newspaper "Labor" which is delivered to all of us in the House carried the remarks of Senator O'Mahoney who predicted that unless a proper program was carried out there would be unemployment to the extent of nineteen million jobs. Labor leaders have likewise shown great concern about what is before us in the next two or three years. Some of their estimates do not however approach nineteen million jobless in the United States. The Klippinger letter, and other clip sheets out of Washington, advising industry and keeping it posted so that it may make plans for the future, are indications of the issues that place before industry and labor the question, "What shall we do about this situation?" We are hearing about full employment bills and other measures designed by Congress to alleviate the situation and take away from the nation the curse of unemployment.

Ladies and gentlemen of the House, as we consider this measure this afternoon let us not forget that unemployment compensation is a part of the broad general social program adopted in the middle '30's and it is but one of those sections of the Social Security Act which makes provision for the States to set up their own individual unemployment compensation acts, which we did in the special session of 1936. We began collecting contributions in 1937 and started paying benefits January 1, 1938 and have paid them since that time.

In order that we may appreciate the magnitude of the problem confronting us this morning as we discuss House Bill 658, let me say this to you and remind you that in the Unemployment Trust Fund in the Federal Treasury in Washington there are some seven billion dollars earmarked for the benefit of fifty-one subdivisions of the United States that are included in the Act. Pennsylvania's share of the seven billion dollar fund is now five hundred seventy-six million dollars as of April 1, the last figures available from the Department of Labor and Industry in this Commonwealth.

When you talk about that fund you must realize, as the gentleman from Philadelphia has said, it is not money that belongs to ten million people in Pennsylvania; it is a fund contributed by industry under the provisions of the Federal Act, administered by the Commonwealth of Pennsylvania, and covers over three million six hundred thousand workers, in the Commonwealth of Pennsylvania. Of that fund, we are trustees, and it is not for us this morning to take any other position than to be trustees of that fund.

After the adoption of the Federal provision, Pennsylvania put into effect an Act which was comparable to that of any of the states of the United States. Since that time we have with one exception at each session of the Legislature made improvements in the Act until at the present time House Bill 658 provides certain additional benefits, and additional steps were taken to take care of the problem that presents itself in the light of future events.

It reduces the waiting period from two weeks to one week. We have covered and included in the bill for the first time maritime workers; we have placed in the bill a system of partial payments based upon the theory of loss of earnings which is the underlying theory of our Act and has been since its enactment. And I might add

that that particular provision is in effect in all the states of the United States but New York.

The bill also provides a new schedule of benefits raising the present maximum from eighteen dollars to twenty dollars and the period of duration from sixteen weeks to twenty weeks. In addition to the benefits which inure directly to labor and to the unemployed, those that are covered by the Act, we have expanded the coverage. The bill provides that any employer of one or more in any day is covered by the Act, thereby eliminating the evasions and avoidances that we have experienced in the past.

We have also eliminated the provision in regard to financial eligibility. Heretofore the eligibility provision in regard to previous earnings was based, in the old Act, upon the sum of fifty dollars in two quarters of the base year. Feeling that that was in some cases not beneficial to a number of people who could possibly come in under the fund, we have eliminated that and put it upon the figure of two hundred twelve dollars in any base period—two hundred forty dollars as opposed to the three hundred dollar provisions in the amendments offered by the other side.

In addition the bill provides for a freezing of Veterans' benefits. Without any regard for the basis of earnings of any member of the armed forces who returns and is eligible when he comes back we automatically say to that veteran that he is frozen and he is entitled to twenty dollars for twenty weeks regardless of the base earnings.

With that background history of this type of legislation and what we have done to the Act in Pennsylvania, I think we are in position to discuss the amendments that have been offered by the gentleman from Philadelphia, and I would like to categorically and without too much time discuss the twenty-one amendments which I appreciate are not in the form in which we usually find these things. I believe, however, it will be beneficial to every one of us to appreciate just what those amendments intend to do and we will thereby be enabled to point out the points of difference.

Amendment 1 provides that we strike out the provisions existing at the present time, and which have existed since the enactment of the Act in 1936, for coverage in the guise of employment of an employe of one day out of twenty separate weeks. As I previously mentioned, we have eliminated that provision from the present bill, and the coverage now in Bill 658 extends to any employer employing anyone for one day.

It is the intention of the gentleman from Philadelphia to go back retroactively in an attempt to secure contributions from those who were within the provisions of the Act to the one to twenty day provisions. I believe there would be serious doubt as to the constitutionality, and it would be impracticable from an administrative viewpoint to go back and make the collections necessary under the retroactive amendment.

To Amendment 2 the same remarks apply; it covers the same situation.

Amendment 3 covers and redefines exemptions that extend to municipal and state employes. An exemption of state and municipal employes is presently in the bill, and I am informed that the Department has had no problem that has arisen under this provision. Therefore I see no necessity for a rewriting or possible clarification as long as the exemption which they seek already exists.

Amendment 4 is an attempt to exclude from the provision, or to remove from the exemptions contained in the bill, all insurance agents and insurance solicitors. This type of employe is presently exempt under the Federal law, and our bill in conformity exempts them. If in the interim, or before the next session of the Legislature, the Federal government decides that they shall not be exempt, the catch-all clause which I will speak about later will catch them and cover them without loss to our own fund.

Amendment 5 in regard to coverage of all those not specifically enumerated in our bill, but which are found to be covered under any of the Federal laws, will be brought in under the catch-all provision and be included in our computations. That is already in our bill in almost the same language and the same phraseology in another section.

Amendments 6 and 7 provide for the day base plan or the effective day plan about which the gentleman from Philadelphia spoke in his opening remarks. I have already indicated to this House that New York is the only state that has the effective day plan, but the gentleman from Philadelphia neglected to explain to the House, or perhaps it was an oversight in discussing the success of the New York plan, that whereas the New York plan is based upon a loss of time basis, and in the estimation of the gentleman from Philadelphia is a fairer provision than the one we propose, nevertheless the State of New York at the instance of Governor Lehman insisted that a maximum of a twenty-four dollar top be included in order to take care of any possible abuses of the day base plan, so that they combined indirectly in the New York plan some of the features of the loss of earnings plan which we are asking this House to adopt today because of its uniformity with the laws of the other states.

The plan which is being proposed in Senate Bill 658 is based completely upon the weekly benefit rate which the employe would receive if he were totally unemployed. In other words, if his basic rate were fifteen dollars, he would not be entitled to partial benefits unless the earnings during the week of partial employment were less than the weekly benefit rate of fifteen dollars.

Under the New York plan it is possible for a man who earns the first two days of the week less than the amount of twenty-four dollars, at the same time for the remaining four successive days he will receive the full amount of the benefit that he would have received if he had been totally unemployed.

A committee of our own state government, in making a survey of the plans adopted in our neighboring sister state, was unanimously, with but one exception, of the opinion that the loss of earnings plan for partial payment was more fair and equitable than the one that was adopted in the State of New York. For that reason it was included in Senate Bill 658.

Amendment 8 eliminates the provision of Senate Bill 658 in that it would charge the employers' account for the first three weeks of compensation pay. Senate Bill 658 provides that no charge shall be made to the em-

ployers' account until three weeks have been fully paid, the charge being made on the fourth week.

It is impossible to appreciate the extent of this amendment unless we also realize that Senate Bill 658 changes the method of charging on employers' experience rating by adopting the figure of one thousand three hundred sixty-six dollars, and the elimination of the reemployment credits that have heretofore existed in the bill. I am informed by statisticians of the Department that the change affects no saving to the employers and that as a matter of administration the charge beginning on the fourth week instead of the first week, the benefits to the employer, because of the change, have been eliminated by the elimination of the reemployment credit.

Amendment 9 again concerns the effective day plan and the loss of earnings provisions that have already been discussed.

Amendment 10 provides for benefits, ten dollars and twenty-two dollars for uniform duration. The gentleman from Philadelphia explained that our present fund was in excess of five hundred million dollars and increasing monthly. The fund in 1938 paid out more than it took in. Since that time we are all familiar with the trend nationally. Payrolls increased, payments to the funds increased until they reached the sum of one hundred forty-two million dollars. For this last quarter we have eighty-five million dollars collected. We have a prospect of further reduced contributions for the second quarter, which may not exceed sixty million dollars. We have only to point out to the House that with three million six hundred thousand employes covered under the bill, if and when unemployment in Pennsylvania reaches the staggering figures of the early '30's it is conceivable that we would have an unemployed body of men covered by our system consisting of one million six hundred thousand persons.

Under the provisions of Senate Bill 658, twenty dollars for twenty weeks, which would be four hundred dollars of benefits, multiplied by one million employes who would be entitled to compensation under this Act, makes a total amount of four hundred million dollars by which this fund could be reduced. A reduction of that amount, or any approximation of that amount, would immediately cause this fund to fall below the safety factor provided for in the experience rating provision and the provisions in the Federal fund.

It is very difficult in the face of a balance in bank of five hundred seventy-six million dollars not to ask whether it is possible to increase the benefits and the duration of benefits, but not withstanding that I say to you that with the uncertainty that exists—and it is solely for that reason because you have to balance the interests of the employer and the employe because of their inherent interest in this fund, that we in this Legislature should treat this fund as a trust fund, and preserve that fund in order that we can accomplish the very things that the gentleman from Philadelphia says we should accomplish, namely, that industry by voluntary contributions will have allowed a fund to accumulate in line with the experiences we have had. Ten years or less than ten years is not sufficient experience for us at this time to speculate as to what might happen, particularly when we know we are entering an era of cut-backs and uncertainty. If we were sure and if it were possible for us to gaze into a crystal ball and know what the exact unemployment figures would be, it would be very easy for us to compute the total unemployment in any given year, and multiplying by the total benefits that we would like to pay for unemployment we would be able to arrive at a mathematical computation with certainty; but we cannot do that.

Now, there is another point in regard to this matter. This act freezes the benefits to the returning veterans by giving the returning veterans a maximum of twenty dollars for twenty weeks without regard to the earnings of his previous pay period. In other words, if he had not gone into the service, and had he been entitled to a weekly rate of twelve dollars a week for fifteen weeks, we would say "We will ignore those provisions and we will give twenty dollars for twenty weeks." That twenty dollar provision is in line with the Federal Government's provision, which works hand in hand with the one we are now seeking to adopt.

I might also point out with regard to the benefits, because most of the discussion and debate will center on how much and how long, a comparison of the present situation in other States might be of interest to the Members of the House in order that we may know just where Pennsylvania stands in regard to its Unemployment Compensation Act, and in order that we may tell the people of Pennsylvania just where we do stand and what kind of a bill we do have.

A chart has been prepared as of last month covering all the States and territories included in unemployment compensation legislation, and it indicates as far as maximum weekly benefits are concerned, that there are three out of fifty-one states and territories that provide for more than twenty dollars maximum. Two others have proposed an increase over the twenty dollar limit, but as yet those provisions have not been enacted. Under twenty dollars, there are twenty-five that run anywhere from fifteen dollars to eighteen dollars.

If Senate Bill 658 is enacted Pennsylvania will be one of twenty which pay twenty dollars maximum.

On maximum duration of benefits, because these are brothers and sisters, there are seven states that provide for maximum durational benefits in excess of twenty weeks. There are four states that have proposed maximum durational benefits in excess of twenty weeks, a total of eleven states which either have enacted or propose a maximum durational benefit in excess of the provisions of Senate Bill 658.

Pennsylvania will, if we enact this proposed legislation, be one of nineteen states providing for a maximum duration of twenty weeks. The balance of the states will be governed by provisions providing for less than a maximum duration of twenty weeks. So as far as conformity is concerned, and so far as being in line is concerned, if statistics of that kind are important to show our relative position, I think it is very obvious that we can feel that this session of the Pennsylvania Legislature has moved up to where it can be considered consistent with good careful management of the fund that has been entrusted to us.

Amendment 11 provides for payment of benefits in case of vocational education. It is not my purpose to

oppose an amendment such as this, because we all know it is very meritorious. Nevertheless, ladies and gentlemen of the House, the recommendation of the Federal Social Security Board which is very zealous with regard to changes that are made by the various States in the operation of this act, do not look with favor upon the engrafting of these things upon a system that is designed solely to take care of and to cushion the shock of unemployment. They think, and I believe correctly, that measures of this kind should be the subject of separate acts, if the program is to be adopted. For that reason that provision has not been included in Senate Bill 658.

Amendment 12 likewise takes care of the effective days which subject has already been discussed.

Amendment 13 cuts benefits from four weeks to three weeks. Senate Bill 658 provides that an employe shall be disqualified from receiving benefits if he has participated in an industrial dispute for a period of four weeks. The amendment seeks to cut the four weeks period to a three weeks period. On its face it would look as though there were an attempt being made to add an additional week of disqualification. However, this is not so in view of the fact that the waiting period under the bill has been cut from two weeks to one week, and we therefore have not changed the provisions that have existed heretofore in regard to that temporary disqualification in regard to unemployment resulting from industrial strife.

Amendment 14 is a proviso for disqualification if there has been willful misconduct. Most of the court decisions in the United States have held that social misconduct of an employe is ground for disqualification—I should say misconduct is held to be ground for disqualification. In view of these decisions and in view of the findings of the board, we felt that the insertion of the word "wilfull" would be to the benefit of the employe seeking compensation rather than to have the very general term "misconduct" used.

Pennsylvania is the only State that will have the words "willful misconduct" so as to more clearly define what is meant by misconduct. I appreciate the difficulties that the gentleman from Philadelphia, Mr. Cohen, had when he wrestled with the word "willful" because as a lawyer he knows, especially under criminal law and other branches of our law where the word is used, it is something that can be kicked around, but nevertheless he knows where it is written into law it is a word of limitation and not a word of generality. Rather than use the word "misconduct" we felt, as I said before, that it was to the benefit of the employee that we change the word "misconduct" to "willful misconduct."

Amendments 15, 16, 17, 18, 19 and 20 are merely amendments that concern the maximum rates of benefits and maximum duration of benefits.

Amendment 21, the last amendment, is an amendment covering three different points, one of which is in regard to the effective day, and if you decide you do not want the effective day plan as proposed by the gentleman from Philadelphia, then this amendment would not be necessary, because the effective day plan is not to be inserted in the Act.

The other amendments provide for appearance at public hearings in case of appeal. This is deemed to be unnecessary by our own Department because we have had no particular compaints, none that I know of, in regard to the conduct of the hearings. If someone desires to be present it is certainly possible for them to be present.

Ladies and gentlemen of the House, it might appear in this, the closing week of the session, if it is the closing week of the session, that a good many things are coming at us too thick and too fast, but I think you can understand and appreciate, because of the extent of the amendments offered by the other side, and because of the changes which I have detailed to you that are incorporated in this new Act that we are urging you to adopt, that it represents an honest, fair attempt on the part of the officials of this Commonwealth, the Governor, the Senate of Pennsylvania that has already passed the bill, and I hope it will pass here in the House, to progress with our legislation on unemployment compensation, balancing the equities between the employee and the employer so that we may have this fund with us to do the very thing that it aims to do, namely, cushion the shock against the economic ills of unemployment.

I think I should make this one statement in regard to the statement of the Senator from Westmoreland, Mr. Dent. In the debate in the Senate, and during the discussion on the bill after it had been passed by the Senate he remarked, "I am for the bill but it doesn't go far enough." The Philadelphia Record in an editorial discussing the Dumbarton Oaks Conference pointed out the fact that the criticism of that Conference did not go far enough or went too far, and went on to say that the same criticism might be made of any progressive measure because someone will say that it does not go far enough or it goes too far.

There has been presented here, and I am sure those of us who have made a study of it will silently, if not publicly, agree on both sides of the House, if we enact Senate Bill 658 that we can go back to our local constituents realizing that we have done a good job.

MR. LLOYD H. WOOD IN THE CHAIR

Mr. COHEN. Mr. Speaker, I am personally indebted, and I trust the Members of the House feel indebted to the gentleman who just discussed the bill, for a very fair discussion of it. He has contributed a great deal to our general knowledge of a tough technical subject, and I trust that we may have more attention and less noise in the House as the debate goes on. It is awfully tough to listen to anybody talking and discussing technical matters.

Mr. Speaker, I will very briefly cover some of the major points and issues. The day base plan which my amendments seek to put into effect in Pennsylvania is not just a plan that is in effect in one state, New York. They have had it since 1932 and it has worked very well. Let us take the loss of earnings plan, which has been in effect in the other forty-nine governmental units under the Federal plan, that has not been in effect too many years in this state too many years in those states to give us a real understanding of how it operates and whether it is good or bad. It may be good, but I am thinking, Mr. Speaker, of the railroads who have had that plan in effect many, many years and have used the effective day base plan proposed by these amendments, and I have yet to

hear any criticisms leveled at the plan operated by the railroads.

The gentleman used some figures. They are not perfect figures, but they are figures that we will take as accepted figures. One million Pennsylvanians go on unemployment compensation, and twenty dollars for twenty weeks is four hundred dollars a year, and you have four hundred million dollars of our seven hundred million dollars used up in a year's time, and the fund is going to lose fast.

This is how it is going to work. Under my proposed amendment, twenty-six weeks at twenty-two dollars is five hundred seventy-two million dollars, so that the fund gets used up in one year with our benefits, and it gets used up in one year and three and a half months under this bill, so it does not make much difference whether that situation should arise under either bill we are going to have to do something in a hurry about the situation. But do not forget that the fund will not run out that easily because as soon as we start paying benefits, the employers begin paying the greater contributions, and you get back to the 2.7.

That is one of the troubles with the experience rating, you cannot tell in advance, you cannot put your money away to use it for a rainy day, but we have experience with the situation for the duration at least, and perhaps by that time we will know better where we are going in the future.

We are talking about maximum benefits for the period. From October to December 1944 the national average was $16.54, and the Pennsylvania average—and we hate to be behind all the time—is $15.42. If we start comparing benefits given by some of the various states, do not forget that some of those states are southern or midwestern states and are not industrial states. I would rather compare Pennsylvania with states like Ohio, New York State, and California, industrial states, whose conditions are more nearly like ours, rather than try to compare our states with agricultural states whose standards of living are backward and do not in any way approach ours. I would like to get them away from their standards and get them up to standards that we would like to have in Pennsylvania.

There is one other thing, and that is the reduction or the attempt to reduce that four weeks period during which a striker receives no compensation. Under the present law there is a two week's waiting period under which he receives no compensation. If he is in a plant engaged in a strike he must wait an additional three weeks, so that the man on strike waits five weeks, which is the time we are going to penalize the striker. We are going to penalize a group of men who are demanding their rights by strike. We are going to say to them "Don't forget, if you go on strike you are going to wait another week, because if we are going to give you the benefit of the one week reduction period we are giving it to everybody."

You are taking it away from a group of workers who have justifiably gone on strike and for a real grievance. I hate strikes, I wish there would be no strikes, but until the millenium comes I am afraid we are taking away benefits from an organized group of workers, and we are adding an additional penalty to their right to express themselves. As the Supreme Court says, "The right of free speech is contained in the right to strike. The one is contained in the other," and so we are adding another penalty by making it four weeks instead of three.

Mr. Speaker, with those observations and again with my deep thanks to Mr. McDowell I want to suggest to you that Pennsylvania is not being liberal enough. I think we can move along carefully, as we are doing, under my amendments to a point where eventually we may have an honest-to-God system of compensation for the workers of Pennsylvania, that will be a very small part of a real plan that possibly this country may eventually come to.

It is the product of America, it is the goods that the workers produced for industry and take away from industry to consume. It is a general all-around plan for the benefit of everybody, for the benefit of the consumer, for the manufacturer, for the business man, for the farmer who has products to sell, to try to keep the level of money rolling in, either in wages, or if necessary in unemployment benefits, to keep enough money rolling into our economic life blood to make less difficult the problems of industry and therefore of commerce generally. We ought to go higher if we can. Twenty-two dollars a few years ago may have been high, but it is not high today. Twenty-two dollars today represents a compromise, but I think as we look at the problem, as the gentleman has brought out, and as I hope I have, and I hope other speakers will look at it in the same way,—it is not a political matter. The minute it gets to be a political matter I wash my hands of it. We ought to approach it and go a little bit further. Let us try a little bit more because I think perhaps you will find over the years that we haven't gone far enough.

Mr. JAMES. Mr. Speaker, I would like to say at the outset that I believe this House owes a debt of gratitude to both the gentleman from Philadelphia, Mr. Cohen, and the gentleman from McKean, Mr. McDowell, for the very able manner in which they have made an exposition of two separate viewpoints with respect to this bill.

I feel very certain that any of the Members of this House who have not even partly understood, and could not be expected to partly understand the provisions of this bill have now at least something to go on when they make their decision as to how to vote on the amendments.

I have fortunately, or unfortunately as the case may be, been under the necessity in the past of giving up a great deal of time to the study of unemployment compensation. I do not intend, however, to enlarge upon my knowledge of the matter or to discuss at any very great length the separate proposals in the amendments and the corresponding provisions in the bill which have been defended by Mr. McDowell.

I did stay up until three o'clock this morning with this bill, which I found was not enough time to give to it by many, many hours. When I came into the House this morning there was a great deal of doubt in my own mind as to what particular sections of this bill might be subject to amendment and what the amendments might provide for.

I have listened very, very carefully, I believe more carefully than I have ever listened to any other debate in my life, and I must now conclude that there is only

one portion of the amendments which have been offered in which I can find justifiable reason for voting.

The question of the merit of loss of time or loss of earnings in the partial payment provisions is one which cannot be concluded without definite examples. After all it is true that the unemployment setup is designed to protect against loss of earnings and not against loss through idleness. There is only one amendment that has been offered as far as I can understand from what I have heard on which neither the gentleman from Philadelphia, Mr. Cohen, or the gentleman from McKean, Mr. McDowell, was able to provide examples, and that is the amendment concerning willful misconduct. It might help both those gentlemen and the other Members of the House that will vote on this measure if I say that willful misconduct arises almost always because of infraction of established rules. The most notable example of willful misconduct is smoking in parts of a plant where it is forbidden, doing it habitually and willfully, and when there are occasions to charge employes with willful misconduct the charges are almost always supported by the established rules of the building in which that employee works.

Now, I cannot find in all the amendments offered a single thing that I would want to vote for except some liberalization of the actual benefits to employes under this act. I think too often when we discuss unemployment compensation, and particularly when we refer to labor, we have a deep impression that labor is only that segment of the industrial world that is organized and able to make its wishes and wants known. We forget that the unemployment compensation act also protects countless thousands of employes in other categories; we forget too often the clerks and stenographers and bookkeepers and elevator operators, porters and others who are the great white collar class who are also very much interested in the provisions of the unemployment compensation act as well as those who have rightly organized themselves into collective units.

I do not know exactly, because I do not have the benefit of having a copy of the amendments before me, in what particular section these actual benefits are changed by the amendments offered, but I do believe that the compensation fund or the credit of Pennsylvania—and this is an argument for merit rating being the means whereby we can look ahead and plan ahead—I believe that those funds are now ample to provide for looking ahead a very considerable distance on what might be the requirements of Pennsylvania unemployment upon that fund.

It is a little unair to take the total of one million persons who might be unemployed and multiply that by twenty dollars for twenty weeks, because that in the ordinary course of human events could scarcely happen. It is very unlikely that the very maximum of unemployment would be reached and at the same time extend the highest benefits provided in the act or the longest number of weeks provided for in the act. I feel no qualms at all about the security of the Pennsylvania Unemployment Fund even under the operation of the merit rating system. I should like to be able to vote for the provisions that extend the benefits to twenty-two dollars per week with a minimum of ten dollars a week, and I should like to be able to vote for an extension of the benefit time to twenty-two weeks. We do not have an amendment before us for that purpose, but if we can be notified when such amendments will come up for vote which will extend the benefit time from ten dollars to twenty-two I shall most certainly vote for that part of the amendments offered.

Mr. McDOWELL. Mr. Speaker, I feel that the discussion and the debate in regard to the partial plan has been somewhat inadequate, but as you can appreciate the limitations of time and also the difficulty of explaining a plan that works as this does, makes it very difficult to do it very clearly in the general run of debate.

However, I do think that Mr. James is entirely correct in saying that there should be a more adequate explanation of the situation. Under the Pennsylvania plan if a man's unemployment compensation benefit rate would be twenty dollars under this act, and during a week, any particular week, he earns the sum of fifteen dollars, which is five dollars less than the amount that he would be entitled to for a week of total unemployment the Pennsylvania bill would give to him the difference, five dollars plus three dollars, which would be eight dollars, which added to fifteen dollars would be twenty-three dollars, which is in excess of the amount that he would receive if he had not been working at all.

Now, that is still based on the theory of loss of earnings. Loss of earnings is the principle on which your act has been based from the time it was passed. It was the underlying principle of all the bills that were introduced by all of the States and which have been adhered to by all of the States with the exception of New York. Our commission which made this study felt that we should adhere to the loss of earnings basis rather than the New York plan, which is loss of time regardless of loss of earnings. They based their plan on loss of time, and under certain circumstances the unemployed employe would receive more money than he would under this loss of earnings plan. However, New York put a saving clause of twenty-four dollars tieing in loss of earnings because they realized the inherent danger in their plan, and which safety factor we do not have in the amendment proposed by Mr. Cohen.

Furthermore they have a plan in New York, which if the employer employs for one hour on any one of four effective days he would not be entitled to compensation, whereas in Pennsylvania that would not be the case because the total loss of earnings is the basis upon which we figure our compensation.

Then another matter in view of all the practical considerations involved, all of our employers will tell you at the present time, if they are not engaged in the business of filing reports, that simplification of reporting is a matter of serious concern to them, and that is the reason they do not like to see the Legislature get together, because they don't know what additional reports are going to be required. Therefore, we felt that under the loss of earnings provision, they could use the same report that they use for reporting their contributions, without increasing the work as they do under the New York plan, where the employer not only is required to report on his payroll, but he is also required to keep a time record. So we eliminated that duplication, or that extra superfluous report.

That seems trivial, and it sounded trivial to me when

it was first explained to me, but all we have to do is to go over and look at the mechanics of these things, and if you will give consideration to the clerks who make these reports, you will find that that department is one that is most businesslike under the present conditions.

I neglected to mention that in our bill we have changed from a fixed base year to a shifting base year. Heretofore it has been impossible for our Department because of lack of machinery to take some twelve million reports every four weeks each year and until such time as they were able to handle such a voluminous number of reports, it was impossible for us to turn back to the shifting base year which we are now going back to because of the matter of the difficulties in administration, which difficulties have now been overcome.

In regard to the total amount of benefits, the gentleman from Delaware, Mr. James, has expressed a desire to support an amendment raising the maximum to twenty-two. I would just point out to the House that the record of Pennsylvania for the last three years is one to be truly proud of, because when you examine the schedule of benefits that we had in 1942 and up to the present time, we find we began at fifteen weeks at thirteen dollars, or a total of one hundred and ninety-five dollars; we moved next to sixteen weeks at eighteen dollars or two hundred and eighty-eight, and we propose now to move to twenty weeks at twenty dollars, or four hundred dollars. In the past three years Pennsylvania has seen fit to add two hundred and five dollars to the amount that these people received three years ago. That represents substantial progress, because one hundred per cent is one hundred per cent, and it is two hundred and five dollars by actual mathematical computation.

I think too that if it were solely a question of another dollar or two we might conceivably stretch our conservatism, as the gentleman from Philadelphia wishes we would, but at the same time I walked back into my own home town and asked somebody about unemployment compensation. He employs three or four people, and for a long time there was no unemployment problem, and some of them as members of the old school well remember when they paid three per cent without any credit or anything else. You do not fire a stenographer in a law office today, because you can not get a new one, but at the same time the small business people of Pennsylvania have a stake in that credit so that they can continue to pay one per cent.

I feel very keenly about this and as we are deciding these broad sweeping amendments, let us look about us and see what made America great. We have got to take into consideration the individual intrepreneur who hires two or three or four people, because they contribute substantially to the welfare of the United States, and if they should maintain a record of employment they are entitled to the one per cent and perhaps the greatest part of the one per cent they contributed was never used to pay benefits, because of their lack of unemployment, should we further jeopardize the fund at this time, in view of the unsettled conditions ahead of us we might arrive at the point where conceivably we would cause the safety factor to come into operation and increase the costs of that little man's doing business.

Let me point out to you, if it is not obvious to you already, we never have any trouble when we have employment for fifty million people; we never have any trouble when our payrolls are in the billions of dollars, astronomical figures, and the contributions reach high levels. However, when we get into those periods of depression or recession of the economic laws or whatever you want to call it, we want to be sure that instead of raising the cost of doing business to the employer we make it as light as we can and try to maintain the rates that were set up, which have been worked out from biennium to biennium, and keep in mind that it was originally intended by those who supported this measure, and decided by them that it was three percent which was the proper tax they needed in order to accomplish the gradual accumulation of funds so that you always had a fund that is producing an income and revenue greater than the outgo.

We have not changed our system in this country, so that it is not self evident from the past record that we have made what the differences would be, and because of the steps we are taking I say that Senate Bill 658 represents something that labor and industry can say to us "You handled the matter properly."

In regard to the third point of difference of Mr. James concerning willful misconduct, if the word "willful" is obnoxious to anyone interested in the fund, I for one would be pleased to accede to an amendment. I want to say to you that the word "willful" was inserted because we felt that it enlarged the number of people that would be able to draw on the fund. If I go out here and kill somebody, my killing does not make it murder in the first degree; it must be killing with malice aforethought. If an employee is guilty of misconduct he is not arbitrarily excluded from the benefits under this act unless it goes farther and is willful misconduct. I leave it to you, ladies and gentlemen of the House for whose benefit was the word "willful" inserted?

PARLIAMENTARY INQUIRY

Mr. JAMES. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Delaware will state it.

Mr. JAMES. May I assume, Mr. Speaker, that the various amendments will be dealt with separately as they deal with separate sections of the bill?

The SPEAKER pro tempore. Not in this instance. The bill is on third reading. We are considering the amendments as a whole.

Mr. JAMES. Mr. Speaker, is there any procedure whereby those amendments dealing with liberalization of the benefits and the time may be treated separately?

The SPEAKER pro tempore. The Chair would say by a division of the question, if the Chair is instructed by the House how the division shall be made.

MOTION TO DIVIDE QUESTION

Mr. JAMES. Mr. Speaker, I then move that the question be divided and that the division separate the amendments which deal with increasing the benefits and extending the time.

On the question,

Will the House agree to the motion?

Mr. McDOWELL. Mr. Speaker, as a practical matter

that cannot be done, because the rate schedules include the day base plan. It would require the re-writing of all the amendments to accomplish the purposes which Mr. James seeks. For that reason I ask that we vote the motion down.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from McKean, Mr. McDowell.

The SPEAKER pro tempore. Will the gentleman from McKean permit himself to be interrogated?

Mr. McDOWELL. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, do I understand the gentleman from McKean that he means to infer that we cannot separate the amendments concerning increase of benefits and length of time or extension of time without bringing in also the rate problem?

Mr. McDOWELL. That is true, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I would like to know then from the gentleman on what basis he relies to reach that conclusion.

Mr. McDOWELL. Because, Mr. Speaker, in the schedules in the amendments offered by the gentleeman from Philadelphia he has included the day base plan or effective day plan which is not included in Mr. James' suggestion.

Mr. LEVY. A further question, Mr. Speaker, the mere fact that the amendment deels exclusively with the increase of benefits and the extension of time does not necessarily mean that it follows that the rate amendment must also be included.

Mr. McDOWELL. They are together, they were written together, Mr. Speaker; they are incapable of being separated, and you must take them in toto.

May I point out further to the gentleman from Philadelphia that others who might be in accord with the general principles that Mr. James has enunciated would not necessarliy agree to a uniform duration of this particular kind.

Mr. LEVY. Mr. Speaker, would the gentleman from McKean turn to the amendments as offered by the gentleman from Philadelphia?

Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, the problem that we are concerned with now is an attempt to divide a question that is impossible of division, because to take one portion of the amendments out would leave a serious question as to whether we could consider the other amendments at all. The other amendments might be affected in such a way that we could not consider them at all.

I have, however, this suggestion to make, and it is not being made in a naive way either; I suggest that we adopt these amendments, let the Senate disagree and not concur then let us have a conference committee and fight it out there. I can assure the gentleman that what I have in mind is exactly what the other side wants, and I think we can work out a proper arrangement on the entire bill.

The SPEAKER pro tempore. The Chair will read Rule 69:

> Any Member may call for the division of a question, which shall be divided, if it comprehends questions so distinct, that one being taken away, the rest may stand entire for the decision of the House.

In view of the explanation of the gentleman from Philadelphia, will the gentleman from Delaware, Mr. James, withdraw his motion?

MOTION TO DIVIDE QUESTION WITHDRAWN

Mr. JAMES. Mr. Speaker, in view of the explanation I do withdraw my motion and desire to make a brief statement.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. James.

Mr. JAMES. Mr. Speaker, in view of the fact that the very important questions of increases in benefits in this bill and extension of time cannot be voted upon separately from all other provisions I am going to vote therefore for all the amendments offered, in the hope that the program outlined by the gentleman from Philadelphiaa, Mr. Cohen, and I think probably there are a number of men who are in accord with that idea, can be adjusted in a conference committee.

Mr. McDOWELL. Mr. Speaker, I rise to oppose the position taken by the gentleman from Delaware, Mr. James, and the gentleman from Philadelphia, Mr. Cohen, for this reason: when we came in with a plan for improving and bettering our system of workmen's compensation we came in with nothing up our sleeves. It represents the settled good judgment of those who have worked on this thing and we believe that we have done what we should have done, so that for us now to recede from our position and to tactitly admit that the bill was insufficient in its inception, for reasons that have already been given to the House, I ask that the House vote the motion down.

The SPEAKER pro tempore. The motion has been withdrawn.

Mr. JAMES. Mr. Speaker, I do not wish to leave any Member of this House with the impression that I in my position have anything up my sleeve. I am conscientiously concerned about this bill in its present form, in only one particular, and that is that I do not believe, and I think there are some here who agree with me, that this bill as drawn does not carry sufficient liberalization in benefits to conform with the conditions of the times in which we live. As I said before, I have not taken this position lightly; I believe that I know at least a little something of what we are talking about.

In the last session of the Legislature we adopted the merit rating system which has been productive of very great savings to the employers of the state of Pennsylvania. That system has worked and it is working. It has not only saved money but it has created an incentive in business to make employment more regular, and I think now, having the experience of a great saving to the employers of Pennsylvania the time has come when it is right and proper and just to share with the employes some portion of the benefit.

Mr. McDOWELL. I rise, Mr. Speaker, to correct the impression that might have been left by my last remarks. Ladies and gentlemen of the House, we ask that you vote upon the amendments, because by voting for the amendments you are voting for them in the form in which they have been introduced by Mr. Cohen, and as I have pointed out, there are many objectionable features in those amendments. It is not for us here, having a bill that has been considered as this bill has been to anticipate any action which might be taken in a conference committee.

I might also say that in making my remarks in regard to the matter of having something up our sleeves, it was not directed in any way to Mr. James; it was merely this, that in presenting this bill to the Legislature, in presenting the program that has been agreed upon, we feel a lot better than we would if we felt that it was something that was elastic after debating the matter in the House.

We came in here and we offered what we thought the fund could stand, and that brings up the question of the adequacy of the fund. Sure, five hundred sixty-seven million dollars looms up large to us, but as I pointed out to you in the year 1938 which was about an average pre-war year we exceeded the amount of money that we took into the fund. We have no guarantee that we will not be taking out more than we put in in the near future. I might read this excerpt to you, because I believe it sums up some of the difficulties with regard to the adequacy of the fund.

> Beyond this problem of liberalization, however, is the more difficult one of fund adequacy. With the limited experience the states have had with Unemployment Compensation administration, it is impossible for anyone, regardless of how expert he may be, to state categorically that a fund of certain stated size is "adequate." Adequacy can be measured only in terms of probable drains, and the estimation of these must, in turn, depend on an estimation of the probable future of employment conditions. Certainly any catastrophic decline such as that experienced during the early 1930's would drag the fund balance with it, and it would be wishful thinking to indulge in the fancy that the Nation will not again experience a major depression.

The matter of adequacy of the fund is one of an honest question of judgment. We are sitting here today, two hundred eight of us, as a board of directors of a large insurance company, and we are being paid not only as directors of that corporation but we are also part of the directors of a large Commonwealth which is spending many millions of dollars, but at the same time this problem is disassociated from the other run of mine problems that concern the Commonwealth of Pennsylvania, because we are dealing with money that is earmarked, and when we say that in our judgment this fund should be preserved and remain intact we feel that the provisions of the act, while they do not exactly show up in dollars and cents, still are in the bill itself. For instance no one has seen fit to ask about the probable cost of partials which are based upon the experience of other states and which might run from five million dollars to twelve million dollars. All of these amendments that are offered so change the whole schedule and scheme of unemployment compensation that you cannot affect one without affecting the other. For that reason we are asking that you vote down the amendments.

Mr. LEVY. Mr. Speaker, I realize that it is a matter of honest difference between Members of the House on the advisability of an increase in benefits and a proper extension of time. Therefor, Mr. Speaker, I request that the present House Bill being considered be passed over until an opportunity can be given those actually interested in amending section 10, (section 404) of the bill. We can very readily then take up the entire bill with the proper amendment tomorrow, which gives us ample time for the present consideration of adjournment sine die of the House.

The SPEAKER pro tempore. The request to have the bill passed over requires the unanimous consent of the House. Will the House give its unanimous consent? The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Cohen and Mr. Lovett.

Messrs. Moran, Lane and Lovett asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—95

Andrews,	Gaffney,	Lyons,	Polen,
Baker,	Gallagher,	Madden,	Powers,
Barrett,	Gore,	Matthews,	Readinger,
Bentzel,	Grant,	McLanahan,	Reese, R. E.,
Boies,	Green,	McNair,	Reidenbach,
Boney,	Haberlen,	McNally,	Reynolds,
Boory,	Hamilton,	Mihm,	Rose,
Brancato,	Heatherington,	Milliken,	Rudisill,
Brothers,	Hennihan,	Mills,	Scanlon,
Brown,	Hering,	Modell,	Schuster,
Brunner, P. A.,	Hersch,	Mooney,	Shaffer,
Burns,	Hunter,	Moore, W. J.,	Snider,
Chudoff,	James,	Moran,	Stank,
Cohen,	Jones,	Munley,	Swope,
Coleman,	Kennedy,	Murray, M. L.,	Trachtman,
Corrigan,	Kirley,	Nagel,	Trent,
Coyle,	Kolankiewicz,	O'Brien,	Turner,
Cullen,	Komorofski,	O'Connor,	Varallo,
Dillon,	Lane,	O'Donnell,	Weiss,
Dougherty,	Leonard,	O'Neill,	Welsh,
Duffy,	Levy,	Owens,	White,
Dye,	Longo,	Pettigrew,	Wright,
Elish,	Lopez,	Polaski,	Yester,
Finnerty,	Lovett,		

NAYS—97

Barton,	Frost,	Madigan,	Salus,
Baumunk,	Fullerton,	Mahany,	Serrill,
Bonawitz,	Gardner,	McAtee,	Shoemaker,
Boorse,	Getchey,	McClester,	Sloan,
Bower,	Gibson,	McCormack,	Smith,
Breisch,	Goodling,	McDowell,	Snyder,
Brice,	Greenwood,	McKinney,	Sorg,
Brunner, C. H.,	Greer,	McMillen,	Stonier,
Cadwalader,	Guthrie,	Mikula,	Stuart,
Cook,	Gyger,	Miller,	Tahl,
Cooper,	Hall,	Moore, C. E.,	Tittle,
Costa,	Haudenshield,	Moser,	Trout,
Coulson,	Helm,	Murray, P. G.,	Turbett,
Dague,	Hewitt,	Nelson,	Wachhaus,
Dalrymple,	Hoffman,	O'Dare,	Wagner,
Dennison,	Hoopes,	Pickens,	Waterhouse,
Depuy,	Howells,	Propert,	Watkins,
Dix,	Huntley,	Reagan,	Wescott,
Elder,	Kline,	Reese, D. P.,	Wood, L. H.,
Erb,	Krise,	Reilly,	Wood, N.,
Ewing,	Kurtz,	Riley,	Worley,
Flack,	Laughner,	Robertson,	Yeakel,
Fleming,	Leisey,	Root,	Fiss,
Foor,	Lichtenwalter,	Royer,	Speaker.
Freed,	Loftus,		

NOT VOTING—13

Bentley,	Herman,	Pentrack,	Sollenberger,
Chervenak,	Hoggard,	Petrosky,	Tate,
Fox,	Lee,	Regan,	Verona,
Hare,	Myhan,	Skale,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

Mr. COHEN. Mr. Speaker, I am asking the Members on this side to vote for the bill. We are thankful for small favors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentzel,	Getchey,	Matthews,	Root,
Boies,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Hersch,	Moran,	Swope,
Cook,	Hewitt,	Moser,	Tahl,
Cooper,	Hoffman,	Munley,	Tittle,
Corrigan,	Hoopes,	Murray, M. L.,	Trachtman,
Costa,	Howells,	Murray, P. G.,	Trent,
Coulson,	Hunter,	Nagel,	Trout,
Coyle,	Huntley,	Nelson,	Turbett,
Cullen,	James,	O'Brien,	Turner,
Dague,	Jones,	O'Connor,	Varallo,
Dalrymple,	Kennedy,	O'Dare,	Verona,
Dennison,	Kirley,	O'Donnell,	Wachhaus,
Depuy,	Kline,	O'Neill,	Wagner,
Dillon,	Kolankiewicz,	Owens,	Waterhouse,
Dix,	Komorofski,	Pentrack,	Watkins,
Dougherty,	Krise,	Petrosky,	Weiss,
Duffy,	Kurtz,	Pettigrew,	Welsh,
Dye,	Lane,	Pickens,	Wescott,
Elder,	Laughner,	Polaski,	White,
Elish,	Lee,	Polen,	Wood, L. H.,
Erb,	Leisey,	Powers,	Wood, N.,
Ewing,	Leonard,	Propert,	Worley,
Finnerty,	Levy,	Readinger,	Wright,
Flack,	Lichtenwalter,	Reagan,	Yeakel,
Fleming,	Loftus,	Reese, D. P.,	Yester,
Foor,	Longo,	Reese, R. E.,	Fiss,
Fox,	Lopez,	Regan,	Speaker.
Freed,			

NAYS—0

NOT VOTING—6

Bentley,	Hoggard,	Skale,	Tate,
Herman,	Myhan,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 291.

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives.

Referred to the Committee on Appropriations.

SENATE BILL No. 612.

An Act to repeal the act approved the first day of December one thousand nine hundred thirty-eight (P. L. 109) entitled "A supplement to the act approved the eighteenth day of March one thousand eight hundred and seventy-five (P. L. 30) entitled 'An act to authorize changes of venue in criminal cases' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor."

Referred to the Committtee on Judiciary Special.

SENATE BILL No. 614.

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and their regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof.

Referred to the Committee on Insurance.

SENATE BILL No. 638.

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholder surplus of two million dollars and for reserves as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789).

Referred to the Committee on Insurance.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 509.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Referred to the Committee on Appropriations.

SENATE BILL No. 618.

An Act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 692.

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 716.

An Act to amend section eight of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1969) entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the condition on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act" by providing that before a certificate of incorporation shall issue to an electric cooperative corporation the Pennsylvania Public Utility Commission shall find and determine certain facts and approve the article of incorporation.

Referred to the Committee on Public Utilities.

SENATE BILL No. 719.

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. fifty-three) entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws", providing for the transfer to the Commonwealth of all grounds, lands, buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth, and for payment therefor by the Commonwealth to the political subdivisions; and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed.

Referred to the Committee on State Government.

SENATE BILL No. 752.

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by empowering institution districts to receive and maintain chronic mental patients confined in State mental hospitals or other institutions and providing for the reimbursement by the Department of Welfare for the cost of maintaining such persons.

Referred to the Committee on State Government.

SENATE BILL No. 755.

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the vioaltion thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith making further provision for the fiscal year in school districts of the second class

Referred to the Committee on Education.

SENATE BILL No. 762.

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen, six hundred nineteen and six hundred twenty of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P.

L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by making provision for the erection, construction, maintenance and operation of county, joint county and county and municipal contagious disease hospitals and for the erection of buildings, wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients.

Referred to the Committee on Counties.

SENATE BILL No. 769.

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" by extending the time of employes to rejoin the School Employes Retirement Association after completion of active military Service and removing the requirement for a physical examination in certain cases

Referred to the Committee on Education.

SENATE BILL No. 771.

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged, and in certain cases for widow and wives of such persons.

Referred to the Committee on Military Affairs.

SENATE BILL No. 776.

An Act to further amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages.

Referred to the Committee on Agriculture.

SENATE BILL No. 784.

An Act to further amend section three hundred twenty of an act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by section four of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine.

Referred to the Committee on Counties.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 88.

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes.

Referred to the Committee on Appropriations.

SENATE BILL No. 548.

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties.

Referred to the Committee on Banking.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. MADDEN and WEISS. RESOLUTION No. 64.

In the House of Representatives, May 1, 1945.

The eyes of the world are upon the city of San Francisco, where is convened the Conference of the United Nations, whose task it is to work out the solution of the tremendous problem of freeing the world from future scourges of war and its attendant inhumanity, privation and pestilence.

A task of this magnitude must have the unqualified support of all the people of each of the Nations represented at the momentous conference. Its success depends in large measure upon the confidence which the rank and file of the various peoples place in the efforts of their representatives who speak for them and who are formulating the plan which alone can guarantee the future security of the world; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, at this its regular session of 1945, hereby express to the delegates of the United States, and of the civilized Nations of the world cooperating with her, at the San Francisco Conference, its full confidence and support in the work which lies before them, and its unqualified faith in the success of their vast Honorable Edward B. Stettinius, Jr., Secretary of State shall never again recur, and that all wars that may be attempted by aggressor Nations in years to come will at once be subdued before they can spread to other countries or envelop the entire world; and be it further

Resolved, That a copy of these resolutions, certified by the Chief Clerk of this House, be transmitted to the Honorable Edward B. Stettinius, Jr., Secretary of State of the United States, and Chairman of the American Delegation at the San Francisco Conference.

Referred to the Committee on Rules.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 660

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 660, entitled:

An Act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales."

And has appointed Messrs. Kephart, Farrell and Rosenfelt a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 112.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College to acquire a certain tract of land for the use of said school and making an appropriation therefor

HOUSE BILL No. 176.

An Act to add sections eight point one and eight point two to the act approved the thirtieth day of March one thousand nine hundred three (P. L. 106) entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" by fixing the interest of the various taxing authorities having taxes or claims against property sold under the provisions of said act by the treasurer of any city of the second class and providing for the distribution of moneys received as income from or resale of any such property purchased by the city at such tax sale.

HOUSE BILL No. 419.

An Act to amend the act approved the first day of June one thousand nine hundred forty-three (Appropriation Acts page 45) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two" increasing the appropriation for the construction of certain bridges.

HOUSE BILL No. 639.

An Act to amend section four of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waiving under certain conditions where no damages are payable vertical or lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth.

HOUSE BILL No. 807.

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances for the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdviision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes eliminating provisions for an Attorney

Generals commission and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court

HOUSE BILL No. 842.

An Act authorizing cities boroughs towns and townships to establish veteran's service centers and to expend money therefor and for the operation and maintenance thereof

HOUSE BILL No. 873.

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" providing for the termination of memberships for filing summaries of audits for involuntary winding up and dissolution of associations failing to file such summaries exempting associations from payment of certain State taxes and the filing of reports relative thereto and imposing penalties

HOUSE BILL No. 1062.

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by giving trustees the right to hold certain real estate under certain conditions

HOUSE BILL No. 1068.

An Act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said Board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation

HOUSE BILL No. 1175.

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thiry-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

HOUSE BILL No. 1250

An Act providing a uniform method for taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city county township incorporated town or borough

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 607.

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes boroughs and townships shall be for six years" by extending the terms of constables hereafter elected in incorporated towns to six years

SENATE BILL No. 248.

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties

SENATE BILL No. 374.

An Act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

Mr. ROOT. Mr. Speaker I desire to offer the report of the Committee of Conference on House Bill No. 660.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 177, 363 and 414

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 177, Printer's No. 136, entitled "An act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' extending the retirement provisions relating to former teachers to additional persons who separated from school service prior to the first day of July one thousand nine hundred nineteen."

EDWARD MARTIN.

May 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 363, Printer's No. 63, entitled "An Act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties' by further regulating requirements for examinations licenses and fees and revising the powers and duties of the department and revising penalties."

EDWARD MARTIN.

May 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 414, Printer's No. 258, entitled "An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by increasing the minimum amount to be paid to certain persons on retirement."

EDWARD MARTIN.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 183, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 560, entitled:

An Act to amend sections two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further provisions for designation and selection of representatives for purposes of collective bargaining

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 725, entitled:

An Act to amend clause (f) of subsection (1) of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the

exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining and limiting unfair labor practices

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties confering powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 745, entitled:

An Act authorizing the Pennsylvania Historical Commission to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County; providing for the control and management thereof; authorizing the Pennsylvania Historical Commission to cooperate with other certain organizations; and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HAUDENSHIELD offered the following amendment:

Amend Sec. 1, page 2, line 3, by striking out the word "Society" and inserting in lieu thereof: "Commission".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HAUDENSHIELD offered the following amendments:

Amend Sec. 2, page 2, lines 6 and 7, by striking out the words "after said property has been acquired".

Amend Sec. 2, page 2, lines 8, 9, and 10, by striking out the words "Daughters of the American Colonists and" in line 8, all of line 9, and the part word "monwealth" in line 10, and inserting in lieu thereof: "Federal Government or any agency thereof or with any other interested organization".

Amend Sec. 2, page 2, line 10, by inserting after the word "the" the following: "erection of a".

Amend Sec. 2, page 2, lines 10 and 11, by striking out the words "restoration of a".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. HAUDENSHIELD offered the following amendment:

Amend Sec. 3, page 2, line 15, by striking out the words "restoration of Fort Pitt" and inserting in lieu thereof: memorial.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. HAUDENSHIELD offered the following amendments:

Amend Sec. 4, page 2, line 24, by inserting after the word "authorized" "to accept any and all moneys offered by the Federal Government or any agency thereof for the purpose of carrying out the provisions of this act and".

Amend Sec. 4, page 2, lines 24 and 25, by striking out the words "the Daughters of the American Colonists and other" and inserting in lieu thereof: "any and all".

Amend Sec. 4, page 2, line 28, by striking out the words "through the efforts of said patriotic societies".

Amend Sec. 4, page 3, lines 1 to 5, both inclusive, by striking out the words "provided that such moneys" in line 1, and all of lines 2, 3, 4, and 5.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. HAUDENSHIELD offered the following amendments:

Amend title, page 1, line 1 of title, by inserting after the word "to" the following: "acquire by gift or purchase and to".

Amend title, page 1, second from last line of title, by inserting after the word "with" "the Federal Government or any agency thereof or with".

Amend title, page 1, second from last line of title, by striking out the word "certain".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 31, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land, and for the construction of a Governor's Mansion.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 373, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops barber teachers of barbering students and apprentices

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 393, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises, defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts, of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by

motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district and authorizing the Pennsylvania Turnpike Commission to pay certain moneys into the State Treasury for the taking of certain lands

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Mr. ANDREWS. Mr. Speaker, we have now arrived at that part of the calendar of bills that were on first reading last night and are now on second reading. The calendars were not available until nearly eleven o'clock when we were called into the hall of this House. We have not had on this side, neither have they had on the other, an opportunity to read these bills. If you are going to proceed on the second reading calendar I would ask permission to have a Democratic caucus so that we know where we stand on these second reading bills.

The SPEAKER pro tempore. Will the gentleman consent to any bills that were amended on second reading in order to keep them moving?

Mr. ANDREWS. Yes, Mr. Speaker, amended yesterday.

The SPEAKER pro tempore. That would be with reference to amendments that would be offered today, so that we can keep them moving for the Printer.

Mr. ANDREWS. That is all right, Mr. Speaker, if when amendments are offered they will tell us what they are about we will hold our caucus and decide immediately.

The SPEAKER pro tempore. The Chair will notify every sponsor to see that you have a copy of the amendments.

Mr. ANDREWS. It is not the amendments, Mr. Speaker, it is what they are about. If they are explained on the floor of the House we will not have to caucus.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Agriculture to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 175, entitled:

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions

The first, second, third, fourth, fifth, sixth and seventh sections were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendments:

Amend section 8, page 10, line 8, by striking out after the word "of" and before the word "July" the foldface brackets as follows: "[[ ]".

Amend section 8, page 10, line 8, by striking out after the word "July" and before the word "one" the following: "[ ] January]".

Amend section 8, page 10, line 8, by striking out after the word "hundred" and before the part word "forty-" the boldface bracket as follows: "[[ ]".

Amend section 8, page 10, line 9, by striking out after the part word "five" the following: "[ ] forty-six]".

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Just what is the gentleman trying to do with his amendments, Mr. Speaker?

Mr. LICHTENWALTER. Mr. Speaker, the amendments as I have offered them to Senate Bill 175, first amendment Section 8 of the act, changing the effective date and striking out the bracket after the word "July" on page 10, line 8. It really only affects the matter of the time

when this act becomes effective. Section 8 of the act will read as amended.

This act shall be come effective the first day of July nineteen forty-five instead of nineteen forty-six.

Mr. ROOT. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER pro tempore. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. ROOT. Mr. Speaker, will the gentleman from Lehigh tell us whether the sponsor of this bill is acquainted with this amendment?

Mr. LICHTENWALTER. I understand that he is, Mr. Speaker, otherwise I would not be offering them.

Mr. ROOT. I thank the gentleman.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. CORRIGAN offered the following amendment:

Amend Sec. 1, page 2, lines 25, 26 and 27, by striking out the words "and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails".

It was agreed to.

The section was agreed to as amended.

The second to the forty-first section inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 437, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend Section 1, page 1, line 4, by striking out after the word "stream" and before the word "river" the word: "[of]", and inserting in lieu thereof the word: "or".

On the question,

Will the House agree to the amendment?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER pro tempore. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman from Lehigh as to whether or not his amendments have any effect on the doing away with the toll bridges in Pennsylvania?

Mr. LICHTENWALTER. Certainly they have, Mr. Speaker; the entire bill deals with doing away with the toll bridges.

Mr. CHUDOFF. But this will not affect the original purpose of the bill?

Mr. LICHTENWALTER. Oh no, no, Mr. Speaker.

Mr. CHUDOFF. I thank the gentleman.

On the question recurring.

Will the House agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend Section 4, page 2, line 24, by striking out after the word "the" and before the word "of" the word: "[secretary]"; and inserting in lieu thereof the word: "secretary."

It was agreed to.

The section was agreed to as amended.

The fifth, to the fourteenth sections inclusive were separately read and agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendments:

Amend Section 15, page 9, line 11, by striking out after the word "laws" and before the closing parenthesis, the numerals: "[365]," and inserting in lieu thereof the numerals: "395."

Amend Section 15, page 9, by striking out at the end of line 11 the following: "[and au-]."

Amend Section 15, page 9, by striking out Lines 12, 13 and 14.

Amend Section 15, page 9, line 15, by striking out from the beginning of said line the following: "[free bridges after acquisition]," and inserting in lieu thereof the following: "The Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges."

They were agreed to.

The section was agreed to as amended.

The sixteenth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CADWALADER asked and obtained permission for the Committee on Counties to meet during the session of the House.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Cambria will state it.

Mr. ANDREWS. Is it on the schedule at some time or other, Mr. Speaker, that the Speaker serve a lunch?

The SPEAKER pro tempore. It certainly is.

Mr. ANDREWS. Mr. Speaker, could the Speaker serve it now?

The SPEAKER pro tempore. The Chair is worried about his own lunch.

MR. TURNER IN THE CHAIR.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 657, as follows:

An Act to further amend clauses (a) (b) (c) (f) and (h) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) (b) (c) (f) and (h) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) are hereby further amended to read as follows

Section 306 The following schedule of compensation is hereby established for injuries resulting in total disability

(a) For the first five hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the injured employe as defined in section three hundred and nine but the compensation shall not be more than [eighteen] twenty dollars per week nor less than [nine] ten dollars per week and shall not exceed in the aggregate the sum of [seventy-five hundred] ten thousand dollars Provided That if at the time of the injury the employe receives wages of less than [nine] ten dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than five dollars per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c)) sixty-six and two-thirds per centum of the difference between the wages of the injured employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than [fifteen] seventeen dollars per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for total disability The term "earning power" as used in this section shall in no case be less than the weekly amount which the employe receives after the accident

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the los of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two

or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty-six and two-thirds per centum of wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation [between the elbow and] at the wrist shall be considered as the equivalent of the loss of a hand and amputation [between the knee and] at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than [eighteen] twenty dollars per week nor less than [nine] ten dollars per week Provided That if at the time of injury the employe receives wages of less than [nine] ten dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than five dollars per week

* * * * *

(f) During the first sixty days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed one hundred and fifty dollars ($150) except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars ($75) If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of sixty days except that the board upon petition of the claimant may grant an additional thirty days The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services treatment medicines and supplies tendered to him by his employer he shall forfeit all rights to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

* * * * *

(h) [Hernia shall be considered as a physical weakness or ailment which ordinarily develops gradually and shall not be compensable unless incontrovertible proof is offered that the hernia was at once precipitated by sudden effort or severe strain and that first the descent of the hernia followed the cause without intervening time second there was actual pain in the hernial region at the time of descent third the above manifestations were of such severity that the same were noticed at once by the claimant necessitating immediate cessation of work and communicated to] Where claim is made for hernia claimant must notify the employer or a representative of the employer within forty-eight hours after the occurrence of the accident

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [six] seven dollars per week

(b) If there be two children thirty-five per centum of wages of deceased but not in excess of [nine] ten dollars per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [eleven and a half] thirteen dollars per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [fourteen] sixteen dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [sixteen and a half] eighteen dollars per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of [eighteen] twenty dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [eleven] twelve dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [thirteen and a half] fifteen dollars per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [sixteen] eighteen dollars per week

4½ To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of [eighteen] twenty dollars per week

5 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty-five per centum of wages but not in excess of [five] six dollars per week Provided however That in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [ten] eleven dollars per week

6 If there be neither widow widower children or dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

7 Whether or not three be dependents as aforesaid the reasonable expense of burial not exceeding two hundred dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of

any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support No compensation shall be payable under this scetion to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support If members of decedent's household at the time of his death the terms "child" and "children" shall include step-children adopted children and children to whom he stood in loco parentis and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of the period during which compensation then remains payable to her Provided further That if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow or widower If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed [twenty-seven] thirty dollars per week nor be less than [fifteen] seventeen dollars per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of four and a half dollars per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [six and a half] seven dollars per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [nine] ten dollars per week if there are three children fifty per centum of wages but not in excess of [eleven and a half] thirteen dollars per week if there are four children fifty-five per centum of wages but not in excess of [twelve dollars and seventy-five cents] fourteen dollars per week if there are five children and sixty per centum of wages but not in excess of [fourteen] sixteen dollars per week if there are six children or more

The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe of dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to fil with it a satisfactory bond in a sum sufficient to secur the proper application of the moneys received by suc person

Section 319 [Where a third person is liable to th employe or the dependents for the injury or death th employer shall be subrogated to the right of the em ployee or the dependents against such third person less rea sonable attorney's fees and other proper disbursements Where the compensable injury is caused in whole or i part by the act or omission of a third party the employe shall be subrogated to the right of the employe his persona representative his estate or his dependents against suc third party for the balance of any sum recovered in litiga tion or paid in compromise settlement after subtractio of reasonable attorney's fees and other proper disburse ments but only to the extent of the compensation payabl under this article by the employer Any recovery agains such third person in excess of the compensation thereto fore paid by the employer shall be paid forthwith to th employe or to the dependents and shall be treated as a advance payment by the employer on account of an future instalments of compensation

Section 320

* * * *

(g) If neither party has elected not to be bound b the provisions of article three of the act to which th act is an amendment in the manner prescribed by sectio three hundred and two of said act they shall be hel to have agreed to be bound by the provisions of th act and to have waived any other right or remedy law or in equity for the recovery of damages for injuri occurring under the circumstances herein described

Section 428 [At any time after the approval of compensation agreement or after an award or order ha been made by the board or referee] Whenever the em ployer who has accepted and complied with the provisio of section three hundred five shall be in default in con pensation payments for thirty days or more the emplo or dependents entitled to compensation thereunder ma file a certified copy of the agreement and the order of th board approving the same or of the award or ord with the prothonotary of the court of common pleas any county and the prothonotary shall enter the [tot amount of compensation stated in] entire balance payab under the agreement award or order to be payable the employe or his dependents [whether then due ar accrued or payable in future instalments] as a judgme against the employer or other party liable under suc agreement or award Such judgment shall be a lien again property of the employer or other party liable under suc agreement or award and execution may issue there forthwith

Wherever after an accident any employe or his d pendents shall have entered into a compensation agre ment with [his] an employer who has not accepted complied with the provisions of section three hundred fi or shall file a claim petition with the board against suc employer he may file a certified copy thereof with th prothonotary of the court of common pleas of any coun The prothonotary shall enter the amount stipulated in ar such agreement or claimed in any such petition as jud ment against the employer If the agreement be approv by the department or compensation awarded as claimed the petition the amount of compensation stipulated in th agreement or claimed in the petition shall be a lien of the date when the agreement or petition was fil with the prothonotary Pending the approval of the agre ment or the award of compensation no other lien whi may be attached to the employer's property during suc time shall gain priority over the lien of such agreeme or award but no execution shall issue on any compens tion judgment before the approval of the agreement the award of compensation on the said petition

If the agreement be disapproved or after hearing con pensation shall be disallowed the employer may file wi the prothonotary of any county in which the petition

agreement is on record as a judgment a certified copy of the disapproval of the agreement or disallowance of compensation and it shall be the duty of such prothonotary to strike off the judgment

If the amount of compensation claimed be disallowed but another amount awarded the compensation judgment shall be a lien to the extent of the award as of the date of filing the petition with the prothonotary with the same effect as to other liens and the same disability to issue execution thereon as if the compensation claimed had been allowed In such cases the prothonotary shall make such modification of the record as shall be appropriate

If the compensation payable under any agreement or award upon which judgment has been entered under the provisions of this section shall be modified suspended reinstated or terminated by a supplemental agreement executed under the provisions of section four hundred and eight or by an award or order made under the provisions of section four hundred and thirteen any party to such judgment at any time after such agreement has been approved by the department or after the expiration of the time allowed for an appeal from the award or order may file with the prothonotary of the court of common pleas of any county in which the judgment is on record a certified copy of such supplemental agreement award or order and it shall thereupon be the duty of the prothonotary to modify suspend reinstate or satisfy such judgment in accordance with the terms of such supplemental agreement award or order

Execution may issue by first filing with the prothonotary an affidavit that there has been a default in payments of compensation due on any judgment for compensation entered prior to the approval of the compensation agreement or an award on petition as soon as such agreement shall have been approved by the department or such award made as evidenced by the approval of the board of the award or by a certified copy thereof

Execution shall in all cases be for the amount of compensation and interest thereon due and payable up to the date of the issuance of said execution with costs and further execution may issue from time to time as further compensation shall become due and payable until full amount of the judgment with costs shall have actually been paid

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-five

On the question,

Will the House agree to the bill on third reading?

Mr. LEVY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 1, first to fifth lines of title, by striking out all of the first to fourth lines, and the words "of the" in the fifth line, and inserting in lieu thereof: "To further amend the".

Amend Sec. 1 (Sec. 306), page 2, line 22, by striking out the word "twenty" and inserting in lieu thereof: twenty-two.

Amend Sec. 1 (Sec. 306), page 2, line 23, by striking out the word "ten" and inserting in lieu thereof: twelve.

Amend Sec. 1 (Sec. 306), page 2, line 23, by inserting a light face bracket before the word "and".

Amend Sec. 1 (Sec. 306), page 2, line 24, by striking out the word "[seventy-]".

Amend Sec. 1 (Sec. 306), page 3, line 1, by striking out the words "[five hundred] ten thousand" and inserting in lieu thereof: seventy-five hundred.

Amend Sec. 1 (Sec. 306), page 3, line 3, by striking out the words "[nine] ten" and inserting in lieu thereof: nine.

Amend Sec. 1 (Sec. 306), page 3, line 11, by inserting a light face bracket after the word "disability" and inserting immediately thereafter: Provided further, That if total disability shall continue for a period of four weeks or more, the employe shall also be entitled to receive compensation for the first seven days of total disability. Nothing in this clause shall require payment of compensation after disability shall cease.

Amend Sec. 1 (Sec. 306), page 3, line 18, by striking out the word "seventeen" and inserting in lieu thereof: eighteen.

Amend Sec. 1 (Sec. 306), page 3, line 20, by inserting a light face bracket before and after the word "three" and inserting immediately thereafter: four.

Amend Sec. 1 (Sec. 306), page 3, line 22, by inserting a light face bracket before and after the word "three" and inserting immediately thereafter: four.

Amend Sec. 1 (Sec. 306), page 3, lines 25 and 27, by inserting a light face bracket before the word "The" in line 25, and after the word "accident" in line 27, and inserting immediately thereafter: In cases of partial disability, the actual earnings of an employe, after the date of the disability, may, along with other evidence, be received as evidence of the extent of his earning power, but if such employe has no such earnings, the referee may, in the interest of justice, fix such earning power as shall be reasonable, having due regard to the character of his previous employment, and the nature of his disability.

Amend Sec. 1 (Sec. 306), page 4, line 2, by inserting light face brackets before and after the word "exclusively" and inserting after the word "follows" in said line: and shall begin upon the termination of total disability if total disability results from such occupational disease.

Amend Sec. 1 (Sec. 306), page 4, line 18, by inserting after the word "eye" or for the removal of a cataract from, or lens of an eye, causing the loss of binocular vision.

Amend Sec. 1 (Sec. 306), page 4, line 19, by inserting a light face bracket before the word "one" and after the word "twenty-five", and inserting immediately thereafter: two hundred.

Amend Sec. 1 (Sec. 306), page 5, line 6, by inserting after the word "of" where it appears for the first time: less than.

Amend Sec. 1 (Sec. 306), page 5, line 22, by striking out the word "sixteen" and inserting in lieu thereof: thirty.

Amend Sec. 1 (Sec. 306), page 6, line 5, by striking out the words "two or more such members" and inserting in lieu thereof: such member.

Amend Sec. 1 (Sec. 306), page 6, by inserting between lines 7 and 8: For serious and permanent disfigurement of the head, face, or neck of such a character as to produce an unsightly appearance, sixty-six and two-thirds per centum of wages not to exceed one hundred fifty weeks. Payment for disfigurement shall start at the termination of payment of compensation for disability and shall be paid in addition thereto. If, by reason of such disfigurement an employe shall be unable to obtain any employment for which he is otherwise qualified, the board may order compensation to be paid in accordance with clause (a) or clause (b) of this section. The compensation referee or compensation board by viewing the person seeking compensation for disfigurement shall describe such disfigurement for the record, and shall be authorized to make an award of compensation by such view and an award made by the fact-finding body, whether the referee or board to the effect that disfigurement is serious, permanent and unsightly will have the same value as a fact found if testimony had been taken establishing said features. Either party may introduce testimony describing said disfigurement if it sees fit.

Amend Sec. 1 (Sec. 306), page 6, line 15, by inserting after the word "constitute" permanent.

Amend Sec. 1 (Sec. 306), page 6, line 17, by striking out the words "[between the elbow and] at the wrist" and inserting in lieu thereof: between [the elbow and] the wrist and the knuckles.

Amend Sec. 1 (Sec. 306), page 6, line 19, by striking out

the words "[between the knee and] at", and inserting in lieu thereof: between the [knee] toes and.

Amend Sec. 1 (Sec. 306), page 7, line 5, by striking out the word "twenty" and inserting in lieu thereof: twenty-two.

Amend Sec. 1 (Sec. 306), page 7, line 5, by striking out the word "ten" and inserting in lieu thereof: twelve.

Amend Sec. 1 (Sec. 306), page 7, line 6, by inserting a light face bracket before the word "Provided".

Amend Sec. 1 (Sec. 306), page 7, line 7, by striking out the words "[nine] ten" and inserting in lieu thereof: nine.

Amend Sec. 1 (Sec. 306), page 7, line 10, by inserting a light face bracket after the word "week".

Amend Sec. 1 (Sec. 306), page 7, line 11, by striking out the asterisks in said line, and inserting in lieu thereof: [(d) The period of five hundred weeks mentioned in clause (a), three hundred weeks mentioned in clause (b), and the specific periods (or aggregate specific periods as the case may be) mentioned in clause (c) shall begin to run seven days after disability begins and shall run concurrently.] (e) No compensation shall be allowed for the first [seven] three days after disability begins except as [hereinafter] provided in [clause (f)] clauses (a), (b), (c) and (f) of this section.

Amend Sec. 1 (Sec. 306), page 7, line 12, by inserting light face brackets before and after the word "sixty" and inserting immediately thereafter: ninety.

Amend Sec. 1 (Sec. 306), page 7, line 13, by inserting after the word "medical" dental and nursing.

Amend Sec. 1 (Sec. 306), page 7, line 14, by inserting after the word "services" hospital treatment, artificial appliances.

Amend Sec. 1 (Sec. 306), page 7, line 16, by inserting a light face bracket before the word "The".

Amend Sec. 1 (Sec. 306), page 7, lines 18, 19 and 20, by striking out the words "except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars ($75)".

Amend Sec. 1 (Sec. 306), page 7, lines 28 and 29, by striking out the words "except that the board upon petition of the claimant may grant an additional thirty days".

Amend Sec. 1 (Sec. 306), page 8, line 8, by inserting a light face bracket after the word "refusal" and inserting immediately thereafter: Provided, That the disabled employe, by petition to the board and notice to the employer may be permited by the board to consult a physician of his own choice at any time during his disability the cost of such consultation to be paid by the employer, in accordance with a schedule of charges to be prescribed and approved by the board. Any such request shall be acted upon promptly, either with or without a hearing, and shall have preference over any other matter or proceeding pending before the board or referee. Upon application of a disabled employe, the board may issue its order requiring the employer to furnish such other services, hospital treatment, medicines, artificial appliances, or supplies during such further period, and in such additional amounts after three months' period as the board may in justice deem advisable. The cost of such services, (exclusive of the cost of hospital treatment and artificial appliances), medicines and supplies during the aforesaid three months' period, shall not exceed two hundred dollars ($200). If the employer shall upon application made to him, refuse to furnish such services, hospital treatment, appliances, medicines, and supplies, the employe may procure same and shall receive from the employer the reasonable cost thereof. If the employe shall refuse such services, hospital treatment, appliances, medicines, and supplies tendered to him by his employer, he shall forfeit all rights to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal: Provided, further, however, That the employe need not submit to surgical treatment which in the opinion of at least two qualified physicians might jeopardize his life. The employer shall also furnish to the employe or pay the cost of transportation to and from the place where such services are rendered and reimbursement for such costs by the employe may be enforced as payments of compensation art enforced.

(g) Should the employe die as a result of the occupational disease, the period during which compensation shall be payable to his dependents under section three hundred and seven of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article. No reduction shall be made for the amount which may have been paid or contracted to be paid for medical and hospital services and medicines, nor for the expenses of the last sickness and burial. Should the employe die from some other cause than the occupational disease, the liability for compensation shall cease.

Amend Sec. 1 (Sec. 307), page 9, line 5, by striking out the word "seven" and inserting in lieu thereof: eight.

Amend Sec. 1 (Sec. 307), page 9, line 7, by inserting a light face bracket before and after the words "thirty-five" and inserting immediately thereafter: fifty

Amend Sec. 1 (Sec. 307), page 9, line 8, by striking out the word "ten" and inserting in lieu thereof: twelve.

Amend Sec. 1 (Sec. 307), page 9, line 10, by inserting light face brackets before and after the words "forty-five" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 9, line 12, by striking out the word "thirteen" and inserting in lieu thereof: sixteen

Amend Sec. 1 (Sec. 307), page 9, line 13, by inserting a light face bracket before and after the words "fifty-five" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 9, lines 14 and 15, by striking out the word "sixteen" and inserting in lieu thereof: eighteen.

Amend Sec. 1 (Sec. 307), page 9, line 16, by inserting a light face bracket before the words "sixty-two" and after the words "one-half" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 9, line 18, by striking out the word "eighteen" and inserting in lieu thereof: twenty

Amend Sec. 1 (Sec. 307), page 9, line 21, by striking out the word "twenty" and inserting in lieu thereof twenty-two.

Amend Sec. 1 (Sec. 307), page 9, line 23, by inserting light face brackets before and after the words "forty four" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 9, line 24, by striking out the word "twelve" and inserting in lieu thereof: fourteen

Amend Sec. 1 (Sec. 307), page 9, line 26, by inserting light face brackets before and after the words "fifty-three" and inserting immediately thereafter: sixty-six and two thirds.

Amend Sec. 1 (Sec. 307), page 9, line 27, by striking out the word "fifteen" and inserting in lieu thereof: eighteen

Amend Sec. 1 (Sec. 307), page 10, line 1, by inserting light face bracket before the words "sixty-two" and after the words "one-half" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 2, by striking out the word "eighteen" and inserting in lieu thereof: twenty

Amend Sec. 1 (Sec. 307), page 10, line 5, by striking out the word "twenty" and inserting in lieu thereof: twenty two.

Amend Sec. 1 (Sec. 307), page 10, line 10, by inserting light face brackets before and after the words "twenty five" and inserting immediately thereafter: fifty.

Amend Sec. 1 (Sec. 307), page 10, line 11, by striking out the word "six" and inserting in lieu thereof: twelve

Amend Sec. 1 (Sec. 307), page 10, line 14, by inserting after the word "be" conclusively.

Amend Sec. 1 (Sec. 307), page 10, line 17, by inserting light face brackets before and after the words "forty five" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 18, by striking out the word "eleven" and inserting in lieu thereof: eighteen.

Amend Sec. 1 (Sec. 307), page 10, line 23, by inserting light face brackets before and after the word "fifteen" and inserting immediately thereafter: thirty.

Amend Sec. 1 (Sec. 307), page 10, line 24, by inserting light face brackets before and after the word "five" and inserting immediately thereafter: ten.

Amend Sec. 1 (Sec. 307), page 10, line 26, by inserting light face brackets before and after the words "twenty-five" and inserting immediately thereafter: fifty.

Amend Sec. 1, (Sec. 307), page 11, line 3, by inserting after the part-word "dred": and fifty.

Amend Sec. 1, (Sec. 307), page 11, line 10, by inserting light face brackets before and after the word "sixteen", and inserting immediately thereafter: eighteen.

Amend Sec. 1, (Sec. 307), page 11, lines 13 and 14, by inserting a light face bracket before the word "actually" in line 13, and after the word "her" in line 14, and inserting immediately thereafter: dependent upon him for.

Amend Sec. 1, (Sec. 307), page 11, line 29, by inserting a light face bracket before the word "Provided".

Amend Sec. 1, (Sec. 307), page 12, line 6, by inserting a light face bracket after the word "widower".

Amend Sec. 1, (Sec. 307), page 12, line 16, by striking out the word "seventeen", and inserting in lieu thereof: eighteen.

Amend Sec. 1, (Sec. 307), page 12, lines 17 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 1, (Sec. 307), page 13, lines 1 to 7, both inclusive, by striking out all of said lines, and inserting in lieu thereof: This compensation shall be paid during [three] four hundred weeks, and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of [three] four hundred weeks until such child reaches the age of [sixteen] eighteen, at the rate of [seventeen and one-half] thirty per centum of wages, but not in excess of [four] six dollars per week, if there is one child; [twenty-seven and one-half] forty per centum of wages, but not in excess of [six and a half] nine dollars per week, if there are two children; [thirty-eight and one-half] fifty per centum of wages, but not in excess of [nine] twelve dollars per week, if there are three children; [fifty] sixty per centum of wages, but not in excess of [eleven and a half] fourteen dollars per week, if there are four children; [fifty-five] sixty-six and two-thirds per centum of wages, but not in excess of [twelve dollars and seventy-five cents] sixteen dollars per week, if there be five children; and [sixty] sixty-six and two thirds per centum of wages, but not in excess of [fourteen] eighteen dollars per week, if there be six children or more.

Amend Sec. 1, page 13, by inserting after line 28:

Section 4. Subsection (a) of section three hundred eight of said act, as amended by the act approved the twelfth day of June, one thousand nine hundred forty-one (P. L. 125), is hereby further amended to read as follows:

Section 308. (a) When compensation is awarded because of disability or death caused by silicosis, anthracosis, pneumoconiosis, anthrace-silicosis, asbestosis, or any other occupational disease which developed to the point of disablement only after an exposure of five or more years, the compensation for disability or death due to such disease shall be paid jointly by the employer and the Commonwealth out of moneys to the credit of the Occupational Disease Fund hereinafter created in the State Workmen's Insurance Fund in accordance with the following provisions: If disability begins between October 1, 1939, and September 30, 1941, both dates inclusive, the employer shall be liable for and pay fifty per centum of the compensation due and the Occupational Disease Fund fifty per centum thereof. Thereafter, depending upon the date when disability begins, the proportions of compensation for which the employer and the Occupaitional Disease Fund shall respectively become liable shall be: If disability begins between October 1, 1941, and September 30, 1943, the employer sixty per centum and the Occupational Disease Fund forty per centum; and if between October 1, 1943 and September 30, 1945, the employer seventy per centum and the Occupational Disease Fund thirty per centum; if between October 1, 1945, and September 30, 1947, the employer eighty per centum and the Occupational Disease Fund twenty per centum; if between October 1, 1947, and September 30, 1949, the employer ninety per centum and the Occupational Disease Fund ten per centum. The employer shall pay the full amount of compensation provided in this act for disability or death in all cases where disability begins on or after October 1, 1949.

Section 5. Article three of said act is hereby amended by inserting between sections three hundred eight and three hundred nine thereof, a new section to read as follows:

Section 308.1. The public policy of the Commonwealth of Pennsylvania is hereby declared to be that the method of computing wages as set forth in this section and the rates to be paid the disabled employes or their dependents under sections 306 and 307 of this act are just and reasonable.

Wherever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident, except that if the disabled employe was at the time of the disability a minor and his disability shall continue after he shall have reached the age of twenty-one years, his average weekly wage for the purpose of determining the compensation payable under this act shall be determined on the basis of the earnings that such minor, if not disabled, probably would earn at the age of twenty-one years. In determining such probable earnings, due consideration shall be given to the employe's aptitude, education and experience fitting him for any employment not only in the trade or business in which he was engaged at the time of the injury but in any other trade or business. In determining such probable earnings the referee and the board shall have the right to receive into evidence as competent testimony the earnings of other employes of similar aptitude, education and experience engaged in a similar trade or business and findings based upon such testimony shall be final. The term "wages" shall include board and lodging received from the employer. Whenever the employe receives board and lodging as a part of his wages, the board shall be rated at fifty cents per day, and board together with lodging shall be rated at one dollar per day for the purpose of computing wages. In seasonable occupations the employe's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident, unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe, in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings. In continuous employments, if immediately prior to the accident, the rate of wages was fixed by the day or hour or by the output of the employe, his weekly wages shall be taken to be five and one-half times his average earnings at such rate for a working day, and using as a basis of calculation his earnings during so much of the preceding six months as he worked for the same employer: Provided, however, That if the employe regularly and habitually worked more than five and one-half days per week the weekly wage shall be found by multiplying his average earnings for working day by six, six and one-half or seven according to the customary number of working days constituting an ordinary week in his occupation or trade, where the employe is working under concurrent contracts with two or more employers, his wages from all employes shall be considered as if earned from the employer liable for compensation.

In cases where the employe has been in the employ of

the employer less than one full week, and by reason of the shortness of time during which the employe has been in the employment or the employer or the nature or terms of the employment, it is impracticable to ascertain the average weekly wages as hereinbefore provided the average weekly amount which during the six months previous to the disability has been earned by other persons employed by the same employer under similar contracts of hiring, or if there are no persons so employed, by other persons employed by other employers under similar contracts of hiring under similar conditions shall be taken as the basis for the ascertainment of the weekly wages of such employe.

Section 6. Section three hundred nine of said act is hereby repealed.

Section 7. Section three hundred nineteen of said act is hereby amended to read as follows:

Amend Sec. 1, page 14, lines 21 and 22, by striking out all of said lines, and inserting in lieu thereof:

Section 8. Subsection (a) of section three hundred twenty of said act is hereby amended, and subsection (g) of said section is hereby added, to read as follows:

Section 320. (a) If the employe is a minor under the age of eighteen years, employed or permitted to work in violation of any provision of the laws of this Commonwealth relating to minors of such age, compensation, either in the case of disability or death of such employe, shall be [one hundred and ten per centum of] double the amount that would be payable to such minor if legally employed. The amount by which such compensation shall exceed that provided for in case of legal employment may be referred to an "additional compensation."

Amend Sec. 1, page 15, by inserting between lines 2 and 3:

Section 9. Sections four hundred twenty-eight and four hundred thirty-four of said act are hereby amended to read as follows:

Amend Sec. 1, page 18, by inserting between lines 4 and 5:

Section 434. A final receipt given by an employe or dependent entitled to compensation under a compensation agreement or award reciting that the disability or dependency has terminated shall be prima facie evidence of the termination of the employer's liability to pay compensation under such agreement or award: Provided, however, That the board or a referee designated by the board may at any time within [two years] five hundred weeks from the date [to which payment is made as evidenced by such final receipt] of the disability set aside a final receipt upon petition filed with the board if it be [conclusively] proved that [such receipt was procured by fraud, coercion or other improper conduct of a party, or is founded upon mistake of law or of fact] at the time of the execution of the receipt the disabled employe was not in fact able to return to work without loss of earning power, or that the employe had a condition which resulted from the accident which condition existed at the time the compensation agreement was executed and which was not covered by such agreement, or that the employe had an existing disability at the time the final receipt was taken.

Payments shall be made by the employer or insurance carrier on every agreement or award other than for a definite period until a final receipt has been filed with and approved by the department, or until a petition to terminate or modify has been filed under section four hundred and thirteen.

Section 10. Article four of said act is hereby amended by adding at the end thereof three new sections to read as follows:

Section 435. Any hospital, institution, physician, surgeon, or other person who has furnished surgical, medical, dental or nursing services, hospital treatment, artificial appliances, medicines or supplies for which the employer is made liable under the provisions of this act shall be deemed a party in interest and have standing with the consent of the claimant before the board or any referee designated by the board and the courts of this Commonwealth to present a claim for remuneration for such services, hospital treatment, artificial appliances, medicines and supplies, and have the same heard and determined, and shall be entitled to receive an award for such remunerations. Any such claimant shall be entitled to enforce any such award in the same manner as claimants of compensation are entitled to enforce awards of compensation.

Section 436. The board or a referee designated by the board or any court of this Commonwealth in granting an award of compensation to an injured employe or his dependents, or in affirming or modifying and affirming such an award, or in reversing the disallowance of such an award shall in addition to such compensation include in such an award or judgment expert's fees, if any, rendered in any such proceeding, payment of which may be enforced in the same manner as the payment of an award may be enforced under the provisions of this act.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. LEVY. Mr. Speaker, at the outset permit me to publicly apoligize to the majority party on behalf of the minority because of the fact that unfortunately one of our Members who was to debate the amendments offered today to both House Bill No. 657 and House Bill No. 656 was taken suddenly ill last night and is not very well today. It was for that reason that a copy of the amendments was not sent to the Majority Leader in sufficient time, lengthy as they are, to peruse and consider in the light of the Republican party's theory on Workmen's Compensation.

However, Mr. Speaker, before considering the amendments to House Bill No. 657, commonly known as the Workmen's Compensation Bill, may I say to the majority that ever since the beginning of the session, in the first address of the Governor of the Commonwealth, there was mention made of liberalization of Workmen's Compensation, and these bills have been in Senate committee for quite a while. I am quite sure that the Members on the majority side are familiar with their contents and can familiarize themselves with the amendments offered in the short space of time alloted to them.

I want to add, Mr. Speaker, that it was at the instigation of the Governor himself at the beginning of the session, when he asked, you will recall, that the miners of Pennsylvania and the Union representing them consider first amendments to the present Workmen's Compensation Act and occupational disease act. As a result the Union of the Miners met and considered the proposed changes and after consideration by their recognized Union they approved a set of amendments. The amendments were forwarded to the Governor's office, but they were never sent to the legislative leaders. The Governor then told the labor delegation that he thought it only fitting and proper that amendments to bills affecting both labor and industry should be considered by both labor and industry, and I do not think we could have any quarrel with that statement.

The Governor informed them that he would like them to get together with the industrial leaders in Pennsylvania, or a committee of the industrial leaders, and after their conferences they would then be in a position to express their thoughts on amendments to the Workmen's Compensation Act.

This was done, Mr. Speaker, I am happy to say, but after very many meetings labor could not see eye to eye with industry. After repeated meetings of the two groups it was ascertained that there could be no meeting of the minds on these proposed changes, and there were no proposed changes made by the conference to the Governor. However, the proposals of labor were a matter of written record and the proposals of industry were also a matter of written record. Then subsequently introduced in the Senate was Senate Bill No. 656 and Senate Bill No. 657, which in essence are the viewpoint of the industrial leaders of Pennsylvania, and strange to say, the thoughts of the labor unions and of organized labor conferences were not included in these two bills.

I, therefore, Mr. Speaker, want to make it very clear that I believe the Governor of the Commonwealth was on the right track. I believe the Governor of the Commonwealth felt that no amendments to Workmen's Compensation, vital as it is to the people of the Commonwealth, should be made without a meeting of both parties in interest. However, when the views of one group are set into a series of bills, and by now it becomes apparent it is the majority viewpoint on workmen's compensation, I would be remiss if I did not offer to the House the amendments which concern themselves with the viewpoint of labor.

In these two bills, Mr. Speaker, in the amendments rather, are embodied the philosophy and the viewpoint of labor in these conferences. I would ask that each Member of the House delegate himself as a committee of one, moreso than as a member of a party in considering that workmen's compensation is not an economic problem. Workmen's compensation since its inception in Pennsylvania, without a shadow of contradiction, has been a social problem, and because it is a social problem, because it affects a great army of working men and women in the Commonwealth of Pennsylvania I say to you these amendments should be given every consideration.

It is true that one bill concerns itself with occupational diseases, concerning which the present bill before us I find lacking. The other concerns itself with workmen's compensation and needs very little explanation other than the bills coming over from the Senate have given to the working man and woman in Pennsylvania a slight favor, but in view of all the circumstances at hand, in view of the much increased cost of living, in view of the inflationary cost of living brought on by a great war, certainly no one will deny that if a working man or woman be injured in Pennsylvania today the benefits under the new proposed amendments in Senate Bill No. 657 are wholly inadequate, even though they give, as I say, one little favor.

So I say to you, Mr. Speaker, I offer these amendments in the interests of the working men and women of Pennsylvania as against,—and I want a denial if this statement is not true,—as against the view of the industrial leaders of Pennsylvania as incorporated in Senate Bill No. 656 and Senate Bill No. 657. In view of all these facts, Mr. Speaker, I ask the membership to consider the amendments and vote in favor of the same.

Mr. SORG. Mr. Speaker, the gentleman is very kind to admit that we have had very little opportunity to peruse the voluminous amendments that have been offered to Senate Bills Nos. 656 and 657. Just for my own information, without the opportunity to carefully study these specific amendments I should like to interrogate the gentleman from Philadelphia Mr. Levy.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. SORG. Will the gentleman indicate to me, Mr. Speaker, the purport of the fifth amendment to Senate Bill No. 657 as proposed on page one of the amendments?

Mr. LEVY. Is that at the bottom of page one, Mr. Speaker, the amendment to which the gentleman is referring?

Mr. SORG. In the middle of the page it says "Amend Section one, section 306, page 2, line 24."

Mr. LEVY. Mr. Speaker, we are amending it from ten dollars and twenty dollars to twelve dollars and twenty-two dollars.

Mr. SORG. If the gentleman will follow the amendment with the bill he will get the purport of the amendment.

Mr. LEVY. Mr. Speaker, the gentleman from Elk might not have heard what I said. I only want to repeat to the gentleman that the amendment referred to deals with the increase of the minimum and the maximum benefits from ten to twelve and from twenty to twenty-two, which is a later amendment in the bill.

Mr. SORG. I have in mind, Mr. Speaker, because I do not see those particular figures here, just below the middle of the page where it says "Amend Section one, section 306, page 2, line 24".

Mr. LEVY. Mr. Speaker, I deeply regret that I probably have the wrong amendment to which the gentleman is referring. I understood he was referring to the amendments to Section one, "Strike out the word ten and insert the word twelve". Is that the amendment the gentleman is referring to?

Mr. SORG. I am not, Mr. Speaker. I am referring to the amendment which reads "Amend Section one, section 306, page 2, line 24 by striking out the word——".

Mr. LEVY. Mr. Speaker, in answer to the gentleman I might inform him that if he has a copy of the bill handy he will find that unfortunately the amount of money prescribed in this bill ends at the word seventy—on page two and then continues with the word five hundred on page three and that is followed in order by the other amendment.

Mr. SORG. I understand, Mr. Speaker, that the two amendments are corollary to each other.

Mr. LEVY. That is right, Mr. Speaker.

Mr. SORG. I would like to have the gentleman state the effect of the amendment, that particular amendment, and the one immediately following:

Mr. LEVY. The amendment referred to by the gentleman is quite clear. By the present bill there is an overall aggregate sum to be granted of seventy-five hundred dollars, and the amendment to Senate Bill 657 to which the gentleman refers would make it ten thousand dollars.

Mr. SORG. Would the gentleman read the amendment for the information of the House as it is worded?

Mr. LEVY. "Amend section 1, page 2, line 24 by striking out the word seventy in brackets." And the following amendment, I might add, includes the words "five hundred" in brackets.

Mr. SORG. For the purpose of clarification, Mr. Speaker, I might word my question in this manner, I would like to ask the gentleman if it would not be the effect of this amendment to reduce the maximum amount to the workman from ten thousand dollars to seventy-five hundred dollars?

Mr. LEVY. It would, Mr. Speaker; it would.

Mr. SORG. Would the gentleman indicate any other salient feature that might be of most interest to the Members of the House and the intent to be accomplished by this amendment?

Mr. LEVY. Mr. Speaker, in answer to the gentleman, I would say that the real purport of the amendment to 657 would increase the percentage of benefits under the amendments from the original bill coming from the Senate. Mr. Speaker, in answer to the gentleman from Elk, I might say that the purpose of all the amendments have to deal with increasing the percentage of benefits; that is under the amendments to what the present bill provides for.

Mr. SORG. But nevertheless, Mr. Speaker, the gentleman will admit that it is the purpose of this particular amendment to reduce the total amount payable from ten thousand dollars to seventy-five hundred dollars.

Mr. LEVY. Mr. Speaker, I might say to the gentleman that that is not the fact.

Mr. SORG. Did the gentleman understand my interrogation?

Mr. LEVY. Yes, Mr. Speaker, in answer to the gentleman, I say that is not the fact.

Mr. SORG. Mr. Speaker, I desire to read for the purpose of the record the following amendment: "Amend Section 1,"—I will read the pertinent parts, "Amend Section 306, page 3, line 1 by striking out the word ten thousand and inserting in lieu thereof seven thousand five hundred."

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Elk, I would say that this amendment was prepared before the bill had been amended in the Senate, and for the purpose of the whole aggregate amount, the amendments would tend to make it the same as it was amended in the Senate. Nevertheless, this is only one feature of the bill where the amendments were not brought up to date. The other features, however, have, and it would tend to increase the benefits.

Mr. SORG. I thank the gentleman.

Mr. Speaker, this is not going to be long. All I want to say is this, that the proposals before this House as embodied in Senate Bills 656 and 657,—if we might discuss both at the same time. because they are supplementary measures, in that one deals with occupational disease compensation and the other deals with what is generally known as workman's compensation for injuries sustained. As the gentleman has previously indicated, amendments were arrived at as the considered judgment of those who had the opportunity to confer with both the representatives of industry and the representatives of labor involved, and of course, the government will also have an interest in that particular problem. I want to say that this does not present the view of any particular class or of any particular faction. These measures do not represent the views of industry and they do not propose to represent the views of labor. They propose to represent the views of the Governor of Pennsylvania, who is interested in the problem of legislation of this particular type.

Mr. Speaker, I want to say that the bills are up to date and we are placed in somewhat of a parodoxical position when we are asked to vote on amendments not up to date. Actually the effect of some of these amendments that I have been able to peruse hurriedly in a period of five minutes, I find call for an actual reduction in the amount of compensation that might be received by an injured person. The measures propose to represent an extension of compensation. I might say briefly, for the information of the Members, that we can start with a general increase of at least, I would say advisedly eleven percent over the compensation that might be received by an injured workman, injured as of today. If, the day after this act becomes effective he should receive an injury he will be entitled to at least eleven percent or more, immediately, and in many instances far beyond that amount. It calls for an increase from seventy-five hundred dollars to ten thousand dollars in the total amount that might be received by one who has been permanently and totally disabled. It increases the medical services to which injured workmen are entitled; it increases the hospitalization to which injured workmen are entitled; it extends the time of payment for a number of injuries and the amount to which any injured workman might be entitled. It extends the number of injuries that are compensible. In nearly every respect the benefits of workmen's compensation are expanded by this particular measure.

I want to say that we here,—not to a man, because I do not have the authority to say that,—we here feel no shame in the measures which we propose. They are not inadequate in view of all the conditions that must be considered in determining the amounts that might be payable to the injured workman under such legislation. We have no shame; we present it as our program and will stand or fall with it. We feel that it has been given adequate study; numbers of conferences have been conducted. Naturally, of course, there has been no agreement. There never is complete and final agreement in any collective bargaining matter. It has been opened and re-opened and closed often, as is usual in such cases, but we present it as the ultimate in provisions that might be made, having regard both for the problems of the workman who is injured and the problems of the employer who hired him and in whose employ he is injured.

It is not for us here just to say, "We should like to see this man get so much"; and it is not simply a question for us to say, "You shall pay so much, and you shall guarantee the payment of so much." But it is for us to have respect and regard for all the attendant circumstances under which these conditions must be met. We do have here in Pennsylvania a definitely greater problem than is found in many of the other States where the same problem is dealt with perhaps in other ways.

I have heard the statement made that other states are more liberal. I have seen attempts at comparison, and I tell you, Mr. Speaker, there is no rock-ribbed way of making comparisons. If you take those who have the reputation for being most liberal you will find the hitches, the twists and the catches in the various provisions. You will find here over-all provisions to bring about a situa-

tion that far exceeds the advantages of much more liberal words in terms of dollars. In one state that I have in mind that has always been brought before us as a more liberal state than ours, it can safely be said that the actual amount of dollars paid to the injured workman is twenty to thirty percent less than ours because of the nature of the injuries covered, because of the things covered and perhaps also because of the method and manner of administering it. I say that this is a program upon which we are willing to stand or fall, no matter who it might be that will take a different view of it so long as he be reasonable and so long as he be open to our reason for such. The program that is offered here is such that it needs no amendments, and Mr. Speaker, I ask the Members of the House to vote "no," and vote the amendments down.

Mr. ANDREWS. Mr. Speaker, I do not intend to indulge in a technical discussion of this bill. I was very much interested in the statements made by the gentleman from Elk, and I wondered at his sudden truculence, his defiance, his assuming, when he should be on the aggressive, a defensive attitude.

As to the pronouncement of the words "we stand or fall upon the bill pending" the gentleman from Elk knows that it was not until this very week that any one on this side of the House had the faintest notion of what kind of a bill it would be necessary to amend when workmen's compensation came before the House. The gentleman from Elk knows that amendments were drawn for the bill as it came from the Senate, drawn by the Legislative Reference Bureau, and he knows that as a result of the parliamentary procedure those amendments ceased to fit the bill, and he better than I knows why.

At the close of the session and at the close of a long day he brings these measures for consideration. Now, it is not his fault: it is not his fault that the man who is prepared technically to debate these measures is not able to be upon the floor, but I say that the gentleman from Elk presumes upon his own technical proficiency when he questions an amendment. He knows that the provision regarding the seventy-five hundred dollars was stricken out, and he knows why,—because the amendments would make the compensation for total disability run for five hundred weeks, irrespective of the amount, and it was not a reduction in compensation, something perhaps that an untechnical person on this side of the House would not be expected to know, but which those familiar with compensation laws know.

Now, Mr. Speaker, he wants to stand or fall on the basis of the record made in connection with workmen's compensation legislation. I have been in this Legislature off and on since 1933, and I have never seen more outrageous procedure in connection with an important measure. It is not just by chance, Members of the House, that measures initiated in January come before this House now. I am not one to squawk,—we will take the break, but we never had a chance on this bill. The gentleman from Elk better than I could tell the House all that the minority has proposed in the amendments, amendments which if they do not fit the line, were nevertheless prepared by the Legislative Reference Bureau, which used the best information it had.

I suggest to the gentleman from Elk, who is familiar with this legislation, that he tell the House, for my information and for the information of the House, what reductions were made in the workmen's compensation bill as originally presented in the Senate, the bill upon which we are now acting. I would ask him were the figures identical as the bill was introduced in the Senate? Has there been a reduction? I would ask that as a question.

The SPEAKER pro tempore. Does the gentleman from Cambria desire to interrogate the gentleman from Elk?

Mr. ANDREWS. I have asked a question, Mr. Speaker, and the gentleman's answer I would like to know.

Mr. SORG. Mr. Speaker, I want the gentleman to know that I did not take each bill as originally introduced in the Senate, and each amendment that was introduced in the Senate. I took the legislation that was passed on by this House and the amendments that were introduced into this House, and at no stage in the proceedings of this House was there a provision for permanent total disability and payments less than ten thousand dollars.

Mr. ANDREWS. May I further interrogate the gentleman?

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. What are the minimum payments in the bill now pending before the House, Mr. Speaker?

Mr. SORG. Ten dollars,—or rather twelve dollars.

Mr. ANDREWS. Does the gentleman from Elk know it is twelve dollars?

Mr. SORG. No, Mr. Speaker, it is ten dollars.

Mr. ANDREWS. The gentleman from Elk knows that the amendments that we have presented have been designed to make the payment twelve dollars minimum?

Mr. SORG. That is correct, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, what are the maximum payments in the bill before the House?

Mr. SORG. Twenty dollars, Mr. Speaker.

Mr. ANDREWS. The gentleman well knows that the intention of the amendments pending are to raise that to twenty-two dollars, is that not right?

Mr. SORG. That is correct.

Mr. ANDREWS. Does the gentleman from Elk know that the amendments presented by the minority are designed to make total disability run for five hundred weeks, irrespective of the pay schedule, instead of just a flat amount of seventy-five hundred dollars?

Mr. SORG. I do not know that, Mr. Speaker.

Mr. ANDREWS. That at least was the intention, and if the Legislative Reference Bureau drew our amendments accordingly that would be what the amendments would provide.

What is the provision in the bill now pending before the House concerning notice?

Mr. SORG. Forty-eight hours, Mr. Speaker.

Mr. ANDREWS. The amendments would eliminate the forty-eight hours notice, would they not?

Mr. SORG. I regret, Mr. Speaker, in the five minutes that were given to me to examine all the amendments, I did not observe whether this provision for a limited time notice was deleted in the amendment.

Mr. ANDREWS. I thank the gentleman from Elk.

Mr. Speaker, I want to summarize. What we are striving for is an increase in the minimum pay, instead of ten dollars up to twelve dollars. In the maximum

payment instead of twenty dollars, up to twenty-two dollars. The other features follow along the same line. They relate to injuries sustained by various parts of the body. The bill before you has some liberalizing features in that direction itself, and we have taken frankly, candidly we have taken as our position, not the position one hundred per cent of the employes, but we have taken as our position a compromise based upon the candid consideration by labor leaders, by workers of what was reasonable and proper in the way of a compensation act, and we have, Mr. Speaker, in this particular instance adopted Labor's compensation program, and as Mr. Sorg says, we are willing to stand or fall on that proposition.

Mr. LEVY. Mr. Speaker, I desire to ask the gentleman from Elk, Mr. Sorg, a question.

The SPEAKER pro tempore. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. LEVY. Would the gentleman from Elk be in a position to know what the over-all percentage of increased benefits will be under Senate Bill 657 as it came from the Senate?

Mr. SORG. My understanding, Mr. Speaker, is that it involves a general increase of eleven per cent, at the very least, in every respect.

Mr. LEVY. Would the gentleman be in position to state to the House now what the general percentage of increase in cost of living has been under war-time conditions?

Mr. SORG. I would not, Mr. Speaker.

Mr. LEVY. I thank the gentleman.

Mr. Speaker, I only want to add one word in support of the amendments. The amendments offered to Senate Bill 657 would raise the over-all percentage of the benefits from eleven per cent to approximately thirty-three per cent, and the reason for that is because from the latest statistics rendered by the United States Department of Labor thirty-three per cent represents the increase in living costs under war-time conditions.

I want only to add, Mr. Speaker, that that should be one concern of the gentleman who defends the bill, that even though we may have a peculiar situation in Pennsylvania, peculiar trades and peculiar professions, nevertheless I do not know how the Senate or the House will satisfy its own stand with a mere increase of eleven per cent when it is a matter of certain statistics that the increase in living costs have risen to thirty-three per cent.

Mr. LOVETT. Mr. Speaker, I realize that to get up in this House at this time and talk on the legislation is somewhat resented by the Members of this House—I suppose on both sides. Nevertheless, as a man coming here representing the working people, I do not mean to sit in my seat after spending my days in Harrisburg and allow a few men in this House who feel that we should now adjourn and go home, forget all about the needs of the working people of the State of Pennsylvania. No, I am not going to do that, and I want the men on the other side to know that and also Mr. Sorg, who gets up and makes the statement that the amendments reduce instead of increase. I admit that we had a lot of trouble with these amendments. I admit we had a lot of trouble this morning with other amendments. Why? You can lay the blame on the other side of this House. Not on the individual Member on that side of the House, no. You lay the blame on the administration that allows us to sit in Harrisburg as long as we have stayed here and then wake up to the fact that the most important legislation we have to consider is to be considered in the last few hours of the legislative session. This goes on in the halls at Harrisburg every Session of the Legislature. My friends you continually maneuver to do this thing when the men get tired, disgruntled, when we fight among ourselves, but, Mr. Sorg, please don't get up and try to tell to your Members that the reason why they should vote down these amendments is because they are reducing the benefits to the worker, when you know, that that is not true.

Mr. Andrews has stated to you that it is a compromise between what was settled between labor and industry, and you know that the bill that you have before you is what industry settled for. Nobody denied that, so why today do we try to becloud the issue, and even impose on the men on this side of the House, who are new in these halls and try to make them believe that the bill we have before us is right when you know in your own hearts it is not right. I say to you men over there who are interested in labor and to the men on this side of the House who are interested in labor, just because we are trying to adjourn on Saturday, don't sit in your seats and deprive the working people of Pennsylvania of what they are entitled to. If it is necessary, stay here and straighten out the amendments. Don't shirk in your duties now. You have spent your time; it is only a matter of a little more time, and so I say to you vote for these amendments, you men who say you are interested in labor. If there is anything wrong with the amendments after they are put into the bill, we can strike them out, but please don't hide behind the fact that you want to adjourn and deprive the working people of what they are entitled to in this state.

Mr. FLEMING. Mr. Speaker, it was not my intention to rise on any of these bills, but certainly the statement of the gentleman from Westmoreland, Mr. Lovett, compels me to do so.

I come from a county which is probably the most highly industrialized county in the Commonwealth of Pennsylvania. We certainly are interested in labor; we are interested in its problems. We know further that Governor Martin invited representatives of both industry and labor into conferences with the hope in mind that they could work out a program which would be acceptible to both labor and to industry. I place the blame, not on labor nor on industry. For some reason they could not get together, as the gentleman very well knows. Governor Martin made specific recommendations to the Legislature of Pennsylvania, and I for one have enough confidence in those recommendations, and I know that Governor Martin has the thought in his mind that he is doing the best thing possible for labor when he makes those recommendations.

I would agree with the gentleman from Westmoreland that possibly the payments should be increased. We were in favor of that, we men from Allegheny County, but we feel that it is inadvisable at this late hour to make any amendments and put these bills into a conference committee with the possible result that they might be eventually defeated. We feel that this is distinctly a step forward in the compensation laws of Pennsylvania and that we in Pennsylvania will have accomplished something for

the working people of Pennsylvania when they are enacted into law.

Mr. ANDREWS. Mr. Speaker, I am very sorry that the gentleman from Allegheny felt impelled to speak, because every time he makes a speech I very nearly have to do so also. But, Mr. Speaker, it is true, and as the gentleman from Allegheny would say, I want it on the record, it is true that in the history of this bill His Excellency the Governor sent for individual labor leaders one by one. It is true that he told them to reach an agreement among themselves as to a bill. It is true that greatly to everybody's surprise they actually reached an agreement, the first time in many, many years that the major labor organizations in Pennsylvania have been able to agree upon compensation. It is true that, having agreed upon a bill, the labor leaders went to His Excellency the Governor. It is true that His Excellency the Governor told them that they better talk to the employers. It is true that the employers and labor leaders were unable to agree, and then it is true that labor legislation, workmen's compensation, was whittled down, not to a position of compromise between what labor had asked and what the employers had offered—not a compromise, but embodying into legislation, into the pending bill, almost exactly what the employers had offered, and nothing beyond that. Not what labor had asked. So you are not voting today for a Workmen's Compensation Act; you are voting for an Employers' Compensation Act. They framed it, they conceived it, they have controlled the history of this bill through the Senate and House, and we vote tonight for an Employer's Compensation Act.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Fleming.

The PRESIDENT pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. LOVETT. Since the gentleman has made the statement that he is very much interested in the laboring people in Allegheny County, in his district, might I ask the gentleman how many bills he has voted upon in the interests of labor during this session?

The SPEAKER pro tempore. The Chair feels that that is not a proper question under the circumstances. We are getting far afield from the discussion on the question. The gentleman will proceed.

Mr. LOVETT. Does the Chair rule that my question is out of order?

The SPEAKER pro tempore. The Chair so rules.

Mr. LOVETT. May I interrogate the gentleman from Allegheny, Mr. Fleming?

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman, since he is so much interested in labor in Allegheny County, if he feels that the particular bill now before the Legislature is agreed to by the labor leaders of Pennsylvania as being a good bill and a compromise bill after the conferences held between management and labor?

Mr. FLEMING. Mr. Speaker, the gentleman started the interrogation by saying "if I feel". Was that a question?

Mr. LOVETT. That is a question I asked you to answer. I said does the gentleman feel that the present bill before the House is a measure that the working class of people of this State, the labor leaders will agree is a fair compensation bill for the working people of Pennsylvania?

Mr. FLEMING. Mr. Speaker, in answer to that I don't know whether all the labor leaders of Pennsylvania would feel that it is a fair bill or not. I have talked with several of them who feel that it is a definite step forward in the compensation laws of Pennsylvania.

Mr. LOVETT. Is the gentleman acquainted with the demands that the labor leaders of Pennsylvania made—not the demands, but what the labor leaders of Pennsylvania asked in a Workmen's Compensation Act in the conference?

Mr. FLEMING. Mr. Speaker, I have not received one personal letter. I have received bulletins from the CIO organizations and the Pennsylvania Federation of Labor, but I repeat, Mr. Speaker, I have not received one personal letter either for or against the bill.

Mr. LOVETT. Would the gentleman state that he had been in touch with any of the labor leaders in Pennsylvania and asked them what they thought of this particular measure?

Mr. FLEMING. I will, yes sir.

Mr. LOVETT. Has the gentleman talked with some of them?

Mr. FLEMING. I have, Mr. Speaker.

Mr. LOVETT. Did they tell you that they were satisfied with this particular piece of legislation?

Mr. FLEMING. Mr. Speaker, I can remember distinctly in one discussion—I do not feel at liberty to disclose the labor leader's name on the floor of the House—I would be very glad to give it to the gentleman in private; I would be most glad to take him to that labor leader who told me that while it was not all that they wanted, he felt that it was something.

Mr. LOVETT. Oh, it's something?

Mr. FLEMING. I beg pardon, Mr. Speaker, I am in error. I realized that I left the House in some misapprehension as to what the labor leader told me. He told me "It's something in the right direction."

Mr. LOVETT. That's something again, "In the right direction." Did the gentleman in conferring in any way with the labor leaders find out what they felt was a fair increase in compensation in Pennsylvania?

Mr. FLEMING. Mr. Speaker, I informed the gentleman that this particular man told me that while it was not all that they expected, it was definitely a step forward in the Compensation Laws of Pennsylvania.

Mr. LOVETT. Does the gentleman in any way know what the labor leader thought it ought to be?

Mr. FLEMING. I do not, no, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I do not think the gentleman is too much interested in the laboring man or he would have found out what the labor leaders and what the working people in Pennsylvania felt was a fair compensation bill for this Session of the Legislature.

I want to say to you men over there, and over here, this this bill is not what the labor leaders asked for in workmen's compensation. It is a compromise between what industry was in favor of giving, and what labor thought was right in Pennsylvania, so gentleman, you are voting on a compromise. Labor has compromised between the two figures. This bill is not what labor felt when they went into the conference that they should ask for. This

bill that you have before you is what the employer wanted to give the min the conference. These amendments just go between the two and make it a compromise which they are satisfied to settle for. I say to you that if you have labor's interest at heart, I do not know how you can deny or how you could vote against these amendments to this bill.

I realize that special privilege legislation has passed away long ago; in fact the Committees of this House as a rule called meetings of their committees, acted upon the legislation and sent it to the floor of the House, but the Committee on Workmen's Compensation didn't do that, and the Committee on Labor didn't do that.

POINT OF ORDER

Mr. ELDER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ELDER. The gentleman is not talking on the amendments, Mr. Speaker.

The SPEAKER pro tempore. The point of order is well taken. The Chair is of the opinion that the debate has gone far afield. We are debating the amendments, and it seems to the Chair that the best interests of all will be served by confining our remarks to the amendments and their effect upon the bill. The gentleman will proceed.

Mr. LOVETT. Mr. Speaker, I accept the rulings of the Chair at all times.

The amendments which we are considering at this particular time deal with the working people of Pennsylvania more so than any other amendments I know of. I think we are not going far afield when we talk on the same subject, and that is labor legislation as a whole. If the Chair feels that I am doing so, I will confine myself to the amendments before the House and ask the members over there to vote for these amendments.

Mr. COHEN. Mr. Speaker, I had not intended to speak on the Workmen's Compensation Bill, but there are statements that have been made that I think should be corrected.

The schedules set forth in the bill for consideration by the House are the schedules which represent industries' offer to labor. We know that they are an increase over the present law, but in no wise is the bill before the House today labor's compromise with industry. The amendments offered by the gentleman from Philadelphia, Mr. Levy, represent what labor wants, and labor is willing to compromise on what it wants. It is getting what is the least they could have gotten even had industry made the offer, and I suspect if the bill passes without the amendments they will be getting the least.

Mr. MORAN. Mr. Speaker, I desire to interrogate the Majority Whip.

The SPEAKER pro tempore. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman from Elk if this bill passes without these amendments, how would Pennsylvania rank among the forty-eight states as to how well they take care of injured workmen and their families?

Mr. SORG. Mr. Speaker, that is a question that would be absolutely impossible to answer.

Mr. MORAN. Will the gentleman tell the House what the rank of Pennsylvania is at the present time before these bills or these amendments are passed, as to how well they take care of the injured workers and their families?

Mr. SORG. Mr. Speaker, it is listed at the top, it is listed at the bottom, and it is listed all over, depending on what provisions of the Act you are talking about.

Mr. MORAN. Mr. Speaker, the Compensation Act is an act which was passed in 1915, and at that time it was a compromise and it has been a compromise ever since—it still is a compromise bill.

The only reason a Workmen's Compensation Act was passed in Pennsylvania was to protect the big interests, the vested interests, and in Pennsylvania you are not compelled today to come under the compensation act.

I want to inform the Members of this House that in 1935 Pennsylvania ranked thirty-fifth in the forty-eight states as to how well they took care of the injured worker and his family. They were even behind the Philippine Islands. In 1937 a Workmen's Compensation Act was passed that brought Pennsylvania from thirty-fifth to second in its position among the forty-eight states. In 1939 Pennsylvania was pushed back to twenty-ninth, and that is the position it is in today; twenty-ninth among the forty-eight states of this nation. There is no reason why these amendments should not be passed; there is no reason why Pennsylvania should not be brought up in the ranks. With these amendments Pennsylvania will still be far behind most of the states, and I say to every one of you, if you are interested in helping the people who work for a living in Pennsylvania, the wage earner, vote for the amendments.

Mr. ANDREWS. Mr. Speaker, since the gentleman from Elk says that there are no standards by which it is possible to judge the position of any state in the matter of compensation liberality, I would like simply to call his attention to the fact that Pennsylvania with its population of approximately ten million in 1942—and it runs along about the same level now, paid twenty-nine million six hundred twenty-five thousand dollars. In New York, with a population of thirteen million four hundred seventy-nine thousand, paid to injured employes a compensation bill of sixty-two million dollars, and at that New York does not have the heavy type of industry, so the figures show that as compared with New York Pennsylvania is down in compensation figures.

The same figures apply as far as California is concerned, so there is a standard, and the standard is the amount that the injured worker received, and Pennsylvania in that respect is down in the list. That is all I have got to say.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Levy and Mr. Andrews.

Messrs. Moran, Lovett and Modell asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—96

Andrews,	Gallagher,	Madden,	Powers
Baker,	Gore,	Matthews,	Readinger,
Barrett,	Grant,	McLanahan,	Reese, R. E.,
Bentzel,	Green,	McNair,	Reidenbach,
Boles,	Haberlen,	McNally,	Reynolds,

Boney,	Hamilton,	Mihm,	Rose,
Boory,	Heatherington,	Mills,	Rudisill,
Brancato,	Hennihan,	Milliken,	Scanlon,
Brothers,	Hering,	Modell,	Schuster,
Brown,	Hersch,	Mooney,	Shaffer,
Brunner, P. A.,	Hoffman,	Moore, W. J.,	Snider,
Burns	Hunter,	Moran,	Stank,
Chudoff,	James,	Munley,	Swope,
Cohen,	Jones,	Murray, M. L.,	Tate,
Coleman,	Kennedy,	Myhan,	Trachtman,
Coyle,	Kirley,	Nagel,	Trent,
Cullen,	Komorofski,	O'Brien,	Turner,
Dillon,	Lane,	O'Connor,	Varallo,
Dougherty,	Leonard,	O'Donnell,	Verona,
Duffy,	Levy,	O'Neill,	Weiss,
Dye,	Longo,	Owens,	Welsh,
Elish,	Lopez,	Pettigrew,	White,
Finnerty,	Lovett,	Polaski,	Wright,
Gaffney,	Lyons,	Polen,	Yester,

NAYS—97

Barton,	Fullerton,	Madigan,	Salus,
Baumunk,	Gardner,	Mahany,	Serrill,
Bonawitz,	Getchey,	McAtee,	Shoemaker,
Boorse,	Gibson,	McClester,	Sloan,
Bower,	Goodling,	McCormack,	Smith,
Breisch,	Greenwood,	McDowell,	Snyder,
Brice,	Greer,	McKinney,	Sollenberger,
Brunner, C. H.,	Guthrie,	McMillen,	Sorg,
Cadwalader,	Gyger,	Mikula,	Stonier,
Cook,	Hall,	Miller,	Stuart,
Cooper,	Hare,	Moore, C. E.,	Tahl,
Costa,	Haudenshield,	Moser,	Tittle,
Coulson,	Helm,	Murray, P. G.,	Turbett,
Dague,	Hewitt,	Nelson,	Wachhaus,
Dalrymple,	Hoopes,	O'Dare,	Wagner,
Dennison,	Howells,	Pickens,	Waterhouse,
Depuy,	Huntley,	Propert,	Watkins,
Dix,	Kline,	Reagan,	Wescott,
Elder,	Krise,	Reese, D. P.,	Wood, L. H.,
Erb,	Kurtz,	Reilly,	Wood, N.,
Ewing,	Laughner,	Riley,	Worley,
Flack	Lee,	Robertson,	Yeakel,
Fleming,	Leisey,	Root,	Fiss,
Foor,	Lichtenwalter,	Royer,	Speaker.
Frost,	Loftus,		

NOT VOTING—13

Bentley,	Freed,	Kolankiewicz,	Regan,
Chervenak,	Herman,	Pentrack,	Skale,
Corrigan,	Hoggard,	Petrosky,	Trout,
Fox,			

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Andrews,	Gaffney,	Madden,	Reynolds,
Baker	Gallagher,	Madigan,	Riley,
Barrett,	Gardner,	Mahany,	Robertson,
Barton,	Getchey,	Matthews,	Root,
Baumunk,	Gibson,	McAtee,	Rose,
Bentzel,	Goodling,	McClester,	Royer,
Boles,	Gore,	McCormack,	Rudisill,
Bonawitz,	Grant,	McDowell,	Salus,
Boney,	Green,	McKinney,	Scanlon,
Boorse,	Greenwood,	McLanahan,	Schuster,
Boory,	Greer,	McMillen,	Serrill,
Bower	Guthrie,	McNair,	Shaffer,
Brancato,	Gyger	McNally,	Shoemaker,
Breisch,	Haberlen,	Mihm	Sloan,
Brice,	Hall,	Mikula,	Smith,
Brothers,	Hamilton,	Miller	Snider,
Brown,	Hare,	Milliken,	Snyder,
Brunner, C. H.,	Haudenshield,	Mills,	Sollenberger,
Brunner, P. A.,	Heatherington,	Modell,	Sorg,
Burns,	Helm,	Mooney,	Stank,
Cadwalader,	Hennihan,	Moore, C. E.,	Stonier,
Chudoff,	Hering,	Moore, W. J.,	Stuart,
Cohen,	Hersch,	Moran,	Swope,
Coleman,	Hewitt,	Moser,	Tahl,
Cook,	Hoffman,	Munley,	Tate,
Cooper,	Hoopes,	Murray, M. L.,	Tittle,
Costa,	Howells,	Murray, P. G.,	Trachtman,
Coyle,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Turbett,
Cullen,	James,	Nelson,	Turner,
Dague,	Jones,	O'Brien,	Varallo,
Dalrymple,	Kennedy,	O'Connor,	Verona,
Dennison,	Kirley,	O'Dare,	Wachhaus,
Depuy,	Kline,	O'Donnell,	Wagner,
Dillon,	Komorofski,	O'Neill,	Waterhouse,
Dix,	Krise,	Owens,	Watkins,
Dougherty,	Kurtz,	Pettigrew,	Weiss,
Duffy,	Lane,	Pickens,	Welsh,
Dye,	Laughner,	Polaski,	Wescott,
Elder,	Lee,	Polen,	White,
Elish,	Leisey,	Powers,	Wood, L. H.,
Erb,	Leonard,	Propert,	Wood, N.,
Ewing,	Levy,	Readinger,	Worley,
Finnerty,	Lichtenwalter,	Reagan	Wright,
Flack,	Loftus,	Reese, D. P.,	Yeakel,
Fleming,	Longo,	Reese, R. E.,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,
Frost	Lovett,	Reilly,	Speaker.
Fullerton,	Lyons,		

NAYS—0

NOT VOTING—13

Bentley,	Freed,	Kolankiewicz,	Regan,
Chervenak,	Herman,	Pentrack,	Skale,
Corrigan,	Hoggard,	Petrosky,	Trout,
Fox,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for presiding.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 656, as follows:

An Act to amend clause (a) of section three hundred one clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensa-

tion Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section three hundred one clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" are hereby amended to read as follows

Section 301 (a) When employer and employe shall by agreement either express or implied as hereinafter provided accept the provisions of article three of this act compensation for disability or death of such employe caused by occupational disease arising out of and in the course of his employment shall be paid by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article but

1 No compensation shall be paid when the disability or death is caused by the employe's violation of law but the burden of proof of such fact shall be upon the employer

2 The maximum compensation payable under this article for disability and death resulting from silicosis anthracosilicosis or asbestosis shall not exceed the sum of [thirty-six hundred dollars ($3600)] four thousand dollars ($4000) which shall be full and complete payment for all disability present or future or for death from such occupational diseases arising out of employment by any and all employers in this Commonwealth

Section 306 The following schedule of compensation is hereby established for total disability resulting from occupational disease subject to the limitations of section 301

(a) For the first five hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the disabled employe as defined in section three hundred and nine but the compensation shall not be more than [eighteen] twenty dollars per week nor less than [nine] ten dollars per week and shall not exceed in the aggregate the sum of [seventy-five hundred] ten thousand dollars Provided That if at the date when disability begins the employe receives wages of less than [nine] ten dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than five dollars per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c)) sixty-six and two-thirds per centum of the difference between the wages of the disabled employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than [fifteen] seventeen dollars per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for total disability The term "earning power" as used in this section shall in no case be less than the weekly amount which the employe receives after disability begins

(c) For all disability resulting from loss or loss of the use of members resulting from occupational disease the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-two and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe or other

toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated accordingly to the provisions of clause (a)

Amputation [between the elbow and] at the wrist shall be considered as the equivalent of the loss of a hand and amputation [between the knee and] at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than [eighteen] twenty dollars per week nor less than [nine] ten dollars per week Provided That if at the time of disability the employe receives wages of less than [nine] ten dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than five dollars per week

* * *

(f) During the first sixty days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed one hundred and fifty dollars except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of sixty days except that the board upon petition of the claimant may grant an additional thirty days The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all rights to compensation for disability or any increase in his disability shown to have resulted from such refusal

Section 307 In case of death resulting from occupational disease compensation shall be computed on the following basis and distributed to the following persons subject to the limitations of section 301

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian or the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [six] seven dollars per week

(b) If there be two children thirty-five per centum of wages of deceased but not in excess of [nine] ten dollars per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [eleven and a half] thirteen dollars per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [fourteen] sixteen dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [sixteen and a half] eighteen dollars per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of [eighteen] twenty dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [eleven] twelve dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [thirteen and a half] fifteen dollars per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [sixteen] eighteen dollars per week

5 To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of [eighteen] twenty dollars per week

6 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of his death twenty-five per centum of wages but not in excess of [five] six dollars per week Provided however That in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of his death the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [ten] eleven dollars per week

7 If there be neither widow widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

8 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support If members of decedent's household at the time of his death the terms "child" and "children" shall include stepchildren adopted children and children to whom he stood in loco parentis and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of the period during which compensation then remains payable to her Provided further That if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow

or widower If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed [twenty-seven] thirty dollars per week nor be less than [fifteen] seventeen dollars per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of four and a half dollars per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [six and a half] seven dollars per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [nine] ten dollars per week if there are three children fifty per centum of wages but not in excess of [eleven and a half] thirteen dollars per week if there are four children fifty-five per centum of wages but not in excess of [twelve dollars and twenty-five cents] fourteen dollars per week if there be five children and sixty per centum of wages but not in excess of [fourteen] sixteen dollars per week if there be six children or more

The board may if the best interests of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursement of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person

Section 319 [Where a third person is liable to the employe or the dependents for the disability or death the employer shall be subrogated to the right of the employe or the dependent against such third person less reasonable attorney's fees and other proper disbursements] Where the compensable injury is caused in whole or in part by the act or omission of a third party the employer shall be subrogated to the right of the employe his personal representative his estate or his dependents against such third party for the balance of any sum recovered in litigation or paid in compromise settlement after subtraction of reasonable attorney's fees and other proper disbursements but only to the extent of the compensation payable under this article by the employer Any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employe or to the dependents and shall be treated as an advance payment by the employer on account of any future instalments of compensation

Section 320 * * * * *

(g) If either party has elected not to be bound by the provisions of article three of the act to which this act is an amendment in the manner prescribed by section three hundred and two of said act they shall be held to have agreed to be bound by the provisions of this act and to have waived any other right or remedy at law or in equity for the recovery of damages for injuries occurring under the circumstances herein described

Section 428 [At any time after the approval of a compensation agreement or after an award or order has been made by the board or referee] Whenever the employer who has accepted and complied with the provisions of section three hundred five shall be in default in compensation payments for thirty days or more the employe or dependents entitled to compensation thereunder may file a certified copy of the agreement and the order of the board approving the same or of the award or order with the prothonotary of the court of common pleas of any county and the prothonotary shall enter the [total amount of compensation stated in] entire balance payable under the agreement award or order to be payable to the employe or his dependents [whether then due and accrued or payable in future instalments] as a judgment against the employer or other party liable under such agreement or award Such judgment shall be a lien against property of the employer or other party liable under such agreement or award and execution may issue thereon forthwith

Wherever after disability or death any employe or his dependents shall have entered into a compensation agreement with [the] an employer liable for compensation under this act who has not accepted or complied with the provisions of section three hundred five or shall file a claim petition with the board against such employer he may file a certified copy thereof with the prothonotary of the court of common pleas of any county The prothonotary shall enter the amount stipulated in any such agreement or claimed in any such petition as a judgment against the employer If the agreement be approved by the department or compensation awarded as claimed in the petition the amount of compensation stipulated in the agreement or claimed in the petition shall be a lien as of the date when the agreement or petition was filed with the prothonotary Pending the approval of the agreement or the award of compensation no other lien which may be attached to the employer's property during such time shall gain priority over the lien of such agreement or award but no execution shall issue on any compensation judgment before the approval of the agreement or the award of compensation on the said petition

If the agreement be disapproved or after hearing compensation shall be disallowed the employer may file with the prothonotary of any county in which the petition or agreement is on record as a judgment a certified copy of the disapproval of the agreement or disallowance of compensation and it shall be the duty of such prothonotary to strike off the judgment

If the amount of compensation claimed be disallowed but another amount awarded the compensation judgment shall be a lien to the extent of the award as of the date of filing the petition with the prothontary with the same effect as to other liens and the same disability to issue execution thereon as if the compensation claimed had been allowed In such cases the prothonotary shall make such modification of the record as shall be appropriate

If the compensation payable under any agreement or award upon which judgment has been entered under the provisions of this section shall be modified suspended reinstated or terminated by a supplemental agreement executed under the provisions of section four hundred and eight or by an award or order made under the provisions of section four hundred and thirteen any party to such judgment at any time after such agreement has been approved by the department or after the expiration of the time allowed for an appeal from the award or order may file with the prothonotary of the court of common pleas of any county in which the judgment is on record a certified copy of such supplemental agreement award or order and it shall thereupon be the duty of the prothonotary to modify suspend reinstate or satisfy such judgment in accordance with the terms of such supplemental agreement award or order

Execution may issue by first filing with the prothonotary an affidavit that there has been a default in payments of compensation due on any judgment for compensation entered prior to the approval of the compensation agreement or an award on petition as soon as such

agreement shall have been approved by the department or such award made as evidenced by the approval of the board of the award or by a certified copy thereof

Execution shall in all cases be for the amount of compensation and interest thereon due and payable up to the date of the issuance of said execution with costs and further execution may issue from time to time as further compensation shall become due and payable until full amount of the judgment with costs shall have actually been paid

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-five

On the question,

Will the House agree to the bill on reading reading?

Mr. LEVY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 1, first to fifth lines of title, by striking out all of said lines, and inserting in lieu thereof: "To further amend the".

Amend the title, page 2, sixth to twelfth lines of title, by striking out the words "changing maxi-" in sixth line of title, all the words in the seventh to twelfth lines of title, and inserting in lieu thereof: "further defining and extending the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment, modifying the procedure and determination of liability thereunder; making an additional appropriation, and prescribing penalties."

Amend Sec. 1, page 2, lines 1 to 5, by striking out the words "Clause (a) of section three hundred one" in line 4, all of lines 2, 3 and 4, the words "four hundred twenty-eight" in line 5, and inserting in lieu thereof: "Sections one hundred eight and two hundred one."

Amend Sec. 1, (Sec. 301), page 3, lines 8 to 28, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "Section 108. The term "occupational disease" as used in this act shall mean only the following diseases:

(a) Poisoning by arsenic, lead, mercury or manganese, their preparation or compounds in any occupation involving direct contact with handling thereof or exposure thereto.

(b) Poisoning by phosphorus, its preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto.

(c) Poisoning by menthanol, carbon, bisulphide, hydro carbon distillates (naphthas and others), or halogenated hydro carbons, or any preparations containing these chemicals or any of them, in any occupation involving direct contact with, handling thereof, or exposure thereto.

(d) Poisoning by benzol, or by nitro amido, or amino derivatives of benzol (dinitro-benzol, anilin, and others), or their preparations or compounds, in any occupation involving direct contact with, handling thereof, or exposure thereto.

(e) Caisson disease (compressed air illness) resulting from engaging in any occupation carried on in compressed air.

(f) Radium poisoning or disability, due to radio-active properties of substances or to Roentgen-ray (X-rays) in any occupation involving direct contact with, handling thereof, or exposure thereto.

(g) Poisoning by, or ulceration from, chromic acid, or bichromate of ammonium, bichromate of potassium; or bichromate of sodium, or their preparations, in any occupation involving direct contact with, handling thereof, or exposure thereto.

(h) Epitheliomatous cancer or ulceration due to tar, pitch, bitumen, mineral oil, or paraffin, or any compound, product or residue of any of those substances, in any occupation involving direct contact with, handling thereof, or exposure thereto.

(i) Infection or inflammation of the skin due to oils, cutting compounds, lubricants, dust, liquids, fumes, gases, or vapor, in any occupation involving direct contact with, handling thereof, or exposure thereto.

(j) Anthrax occurring in any occupation involving the handling of or exposure to wool, hair, bristles, hides, or skins, or bodies of animals either alive or dead.

(k) Silicosis, anthracosis, pneumoconiosis, or anthraco-silicosis (commonly known as Miner's Asthma and hereinafter referred to as anthraco-silicosis) in any occupation involving direct contact with handling of, or exposure to dust [of silicon dioxide (SiO2)] concentration of any kind.

(l) Asbestosis in any occupation involving direct contact with, handling of, or exposure to the dust of asbestos.

(m) Infection or inflammation of the person due to basterial or parasitic agents in any occupation involving direct contact with handling thereof or exposure to such agents.

(n) Poisoning by sulphuric, hydrochloric, or hydroflouric acid.

(n) Any and all occupational diseases.

Section 201. In any action brought to recover damages for disability or death of an employe caused by occupational disease arising out of and in the course of his employment, it shall not be a defense:

(a) That the occupational disease was caused in whole or in part by the negligence of a fellow employe, or

(b) That the employe had assumed the risk of the occupational disease, or

(c) That the occupational disease was caused in any degree by the negligence of such employe unless it be established that the occupational disease was caused by such employe's intoxication, or by his reckless indifference to danger the burden of proving such intoxication or reckless indifference to danger shall be upon the defendant, and the question shall be one of fact to be determined by the jury.

(d) In any action brought to recover damages for personal disability to an employe in the course of his employment, or for death resulting from such occupational disease, the following rule shall apply:

If the jury finds that the employe's disability was caused or contributed to by the employer's violation or failure to observe any safety law applicable to said industry in effect at the time of the disability, the disabled employe or his dependents shall be entitled to double damages.

Section 2. Article two of said act is hereby amended by adding at the end thereof, a new section to read as follows:

Section 205. Every employer who has elected not to be bound by article three of this act, shall insure his liability to pay damages to injured workmen and their dependents, which may be recovered against such employer by suit or otherwise in the State Workmen's Insurance Fund, or in any insurance company, or mutual association or company authorized to insure liability in this Commonwealth, unless such employer shall be exempted by the department as hereinafter set forth. An employer desiring to be exempt from insuring his liability to pay damages shall make application to the department, showing his financial ability to pay such damages as in the judgment of the department would be an amount that would accrue as a result of the ordinary risks of the particular employment wherein the employer seeks exemption. Whereupon, the department, if satisfied of the applicant's financial ability, shall, upon the payment of a fee of twenty-five dollars ($25) issue to the applicant a permit authorizing such exemption. From a refusal of the department to issue such permit, an appeal shall lie to the Court of Common Pleas of Dauphin County. In any such appeal, the only question shall be whether the department abused its discretion in refusing such permit. The department shall establish a period of twelve calendar months to begin and end at such times as the department shall prescribe which

shall be known as the annual exemption period. Unless previously revoked, all permits issued under this section shall expire and terminate on the last day of the annual exemption period for which they were issued. Permits issued under this act shall be renewed upon the filing of an application and the payment of a renewal fee of twenty-five dollars ($25). The department may from time to time require further statements of the financial ability of such employer, and if at any time, such employer appears in the judgment of the department no longer able to pay, damages shall revoke its permit granting exemption, in which case the employer shall immediately subscribe to the State Workmen's Insurance Fund, or insure his liability in any insurance company, or mutual association or company as aforesaid.

Every employer liable under this section of the act to pay damages shall post and maintain in a conspicuous place in and about his place of business, a notice that he has secured the payment of damages to his employes and their dependents in accordance with the provisions of this section. Such notice shall be in such form as shall be prescribed by the department, and among other things, shall set forth the name of the employer, the name of the employer's insurance carrier, or that he has been exempted by the department from carrying insurance as the case may be.

If any employer shall fail to comply with the provisions of this section with respect to posting and maintaining the notice required by this act, such employer shall upon conviction thereof, in a summary proceeding, be sentenced to pay a fine of twenty-five dollars ($25) and costs of prosecution.

If any employer, his employe or employes, agent, or agents fails to comply with the provisions of this section with respect to insuring or securing an exemption from insurance, or in any application filed under this section, shall furnish the department with a false or fraudulent statement of outstanding incurred liability for damages or any other false or fraudulent statement, such employer, his employe or employes, agent or agents, shall be guilty of a misdemeanor, and upon conviction thereof, for every such failure or false or fraudulent statement shall be sentenced to pay a fine of not less than one hundred dollars ($100), nor more than five hundred dollars ($500) and costs of prosecution, or imprisonment for a period of not more than one year or both, at the discretion of the court. Every day's violation and every false or fraudulent statement shall constitute a separate offense. It shall be the duty of the department to enforce this section, but this shall not prohibit any citizen from being a prosecutor for violations of this law. The department, shall investigate all violations brought to its notice, and shall institute prosecution for violation thereof. All fines recovered under the provisions of this section shall be paid by the clerk of the court to the department, and by it paid into the State Treasury.

In any proceeding against an employer under this section, a certificate of non-insurance issued by the official Workmen's Compensation Rating and Inspection Bureau and a certificate of the department showing that the defendant has not been exempted from obtaining insurance under this section, shall be prima facie evidence of the facts therein stated. Any employer who fails to secure his employes to pay compensation under article three of this act, or if he has rejected article three of this act and fails to secure his employes in the payment of damages sustained by such employes in the manner set forth in this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not less than three hundred dollars ($300) and not to exceed one thousand dollars ($1,000), or imprisonment of six months, either or both, at the discretion of the court.

For the purposes of this section, minor children working for their parents shall be conclusively presumed to be emancipated.

Section 3. Subsections (a), (b), (c), (d) and (e) of section three hundred one, section three hundred six and three hundred seven of said act are hereby amended to read as follows:

Section 301. (a) When employer and employe shall by agreement, either express or implied as hereinafter provided, accept the provisions of article three of this act, compensation for disability or death of such employe caused by occupational disease arising out of and in the course of his employment. sall be paid by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article, but—

[1. No] no compensation shall be paid when the disability or death is caused by the employe's wilful violation of law, but the burden of proof of such fact shall be upon the employer.

[2. The maximum compensation payable under this article for disability and death resulting from silicosis anthraco-silicosis, or asbestosis shall not exceed the sum of thirty-six hundred dollars ($3,600) which shall be full and complete payment for all disability present or future or for death from such occupational diseases arising out of employment by any and all employers in this Commonwealth.]

(b) The right to receive compensation under this act shall not be affected by the fact that a minor is employed by his parent or parents or is permitted to be employed in violation of the laws of this Commonwealth relating to the employment of minors, or that he obtained his employment by misrepresenting his age or that any minor or other employe was violating any rule or regulation of the business or industry or a position order of the employer except that no minor or employe shall be entitled to receive compensation who was wilfully violating a law of this Commonwealth.

(c) Compensation for the occupational diseases enumerated in this act shall be paid only when such occupational disease is peculiar to the occupation or industry in which the employe was engaged and not common to the general population, and occurring within [one year] two years after the date of his last employment in such occupation or industry. Whenever death is mentioned as cause for compensation under this act, it shall mean only death resulting from occupational disease and occurring within [three years] four hundred weeks after the date of his last employment in such occupation or industry.

(d) Compensation for silicosis, [or] anthracosis, pneumoconiosis, antraco-silicosis, and asbestosis shall be paid only when it is shown that the employe has had an aggregate employment of at least [four] two years in the Commonwealth of Pennsylvania during a period of eight years next preceding the date of disability in an occupation having a silica, [or] asbestos, [hazard] or dust concentration.

[(e) Compensation shall not be payable for partial disability due to silicosis, anthraco-silicosis, or asbestosis. Compensation shall be payable as otherwise provided in this act for total disability or death caused solely (and definitely distinguished from a contributory or accelerating cause) by silicosis, anthraco-silicosis, or asbestosis or by silicosis, anthraco-silicosis, or asbestosis when accompanied by active pulmonary tuberculosis.]

(e) If an employe is disabled or dies and his disability or death is caused by one of the diseases mentioned in article one, and the disease is due to the nature of the corresponding employment as described in this act in which such employe was engaged, and was contracted therein, he or his dependents shall be entitled to compensation for his death or the duration of his disablement in accordance with the provisions of this article, except as hereinafter stated: Provided, however, That if it shall be determined that such employe is able to earn wages in another occupation which shall be neither unhealthful, nor injurious, and such wages do not equal his full wages prior to the date of his disablement, the compensation payable shall be a percentage of full compensation proportionate to the reduction in his earning capacity.

Amend Sec. 1, (Sec. 306), page 4, line 7, by striking o

the word "twenty", and inserting in lieu thereof: twenty-two.

Amend Sec. 1, (Sec. 306), page 4, line 8, by striking out the word "ten", and inserting in lieu thereof: twelve.

Amend Sec. 1, (Sec. 306), page 4, line 8, by inserting a light face bracket before the word "and".

Amend Sec. 1, (Sec. 306), page 4, lines 9 and 10, by striking out the words "[seventy-five hundred] ten thousand", and inserting in lieu thereof: seventy-five hundred.

Amend Sec. 1, (Sec. 306), page 4, line 12, by striking out the words "[non] ten", and inserting in lieu thereof: nine

Amend Sec. 1, (Sec. 306), page 4, line 20, by inserting a light face bracket after the word "disability", and inserting immediately thereafter:

Provided further, That if total disability shall continue for a period of four weeks or more, the employe shall also be entitled to receive compensation for the first seven days of total disability. Nothing in this clause shall require payment of compensation after disability shall cease.

Amend Sec. 1, (Sec. 306), page 4, line 27, by striking out the word "seventeen", and inserting in lieu thereof: eighteen.

Amend Sec. 1, (Sec. 306), page 5, line 1, by inserting light face brackets before and after the word "three", and inserting immediately thereafter: four.

Amend Sec. 1, (Sec. 306), page 5, line 3, by inserting light face brackets before and after the word "three", and inserting imediately thereafter: four.

Amend Sec. 1, (Sec. 306), page 5, lines 6 and 8, by inserting a light face bracket before the word "The" in line 6, and after the word "begins" in line 8, and inserting immediately thereafter:

In cases of partial disability, the actual earnings of an employe, after the date of the disability, may, along with other evidence, be received as evidence of the extent of his earning power, but if such employe has no such earnings, the referee may, in the interest of justice, fix such earning power as shall be reasonable, having due regard to the character of his previous employment, and the nature of his disability.

Amend Sec. 1, (Sec. 306), page 5, line 11, by inserting a light face bracket before and after the word "exclusively".

Amend Sec. 1, (Sec. 306), page 5, line 11, by inserting after the word "follows": and shall begin upon the termination of total disability if total disability results from such occupational disease

Amend Sec. 1, (Sec. 306), page 6, line 1, by inserting after the word "eye": or for the removal of a cataract from, or lense of an eye, causing the loss of binocular vision

Amend Sec. 1, (Sec. 306), page 6, lines 4 and 5, by inserting a light face bracket before the word "one" in line 4, and after the word "fifty" in line 5, and inserting immediately thereafter: two hundred.

Amend Sec. 1, (Sec. 306), page 6, line 18, by inserting after the word "of", where it appears for the first time: less than.

Amend Sec. 1, (Sec. 306), page 7, line 6, by striking out the word "sixteen", and inserting in lieu thereof: thirty.

Amend Sec. 1, (Sec. 306), page 7, line 18, by striking out the words "two or more such members", and inserting in lieu thereof such member.

Amend Sec. 1, (Sec. 306), page 7, by inserting between lines 20 and 21:

For serious and permanent disfigurement of the hand, face, or neck of such a character as to produce an unsightly appearance, sixty-six and two-thirds per centum of wages not to exceed one hundred fifty weeks. Payment for disfigurement shall start at the termination of payment of compensation for disability and shall be paid in addition thereto. If, by reason of such disfigurement an employe shall be unable to obtain any employment for which he is otherwise qualified, the board may order compensation to be paid in accordance with clause (a) or clause (b) of this section. The compensation referee or compensation board by viewing the person seeking compensation for disfigurement shall describe such disfigurement for the record, and shall be authorized to make an award of compensation by such view and an award made by the fact-finding body, whether the referee or board to the effect that the disfigurement is serious, permanent and unsightly will have the same value as a fact found if testimony had been taken establishing said features. Either party may introduce testimony describing said disfigurement if it sees fit.

Amend Sec. 1, (Sec. 306), page 7, line 23, by inserting after the word "constitute": permanent.

Amend Sec. 1, (Sec. 306), page 7, line 25, by striking out the words "[between the elbow and] at the wrist", and inserting in lieu thereof: between [the elbow and] the wrist and the knuckles.

Amend Sec. 1, (Sec. 306), page 7, line 27, by striking out the words "[between the knee and] at", and inserting in lieu thereof: between the [knee] toes and.

Amend Sec. 1, (Sec. 306), page 8, line 13, by striking out the word "twenty", and inserting in lieu thereof: twenty-two.

Amend Sec. 1, (Sec. 306), page 8, line 13, by striking out the word "ten", and inserting in lieu thereof: twelve.

Amend Sec. 1, (Sec. 306), page 8, line 14, by inserting a light face bracket before the word "Provided".

Amend Sec. 1, (Sec. 306), page 8, line 15, by striking out the words "[nine] ten", and inserting in lieu thereof: nine.

Amend Sec. 1, (Sec. 306), page 8, line 18, by inserting a light face bracket after the word "week".

Amend Sec. 1, (Sec. 306), page 8, line 19, by striking out the asterisks in said line, and inserting in lieu thereof:

[(d) The period of five hundred weeks mentioned in clause (a), three hundred weeks mentioned in clause (b), and the specific periods (or aggregate specific periods as the case may be) mentioned in clause (c) shall begin to run seven days after disability begins and shall run concurrently.]

(e) No compensation shall be allowed for the first [seven] three days after disability begins except as [hereinafter] provided in [clause (f)] clauses (a), (b), (c) and (f) of this section.

Amend Sec. 1, (Sec. 306), page 8, line 20, by inserting light face brackets before and after the word "sixty", and inserting immediately thereafter: ninety.

Amend Sec. 1, (Sec. 306), page 8, line 21, by inserting after the word "medical": dental and nursing.

Amend Sec. 1, (Sec. 306), page 8, line 22, by inserting after the word "services": hospital treatment, artificial appliances.

Amend Sec. 1, (Sec. 306), page 8, line 24, by inserting a light face bracket before the word "The".

Amend Sec. 1, (Sec. 306), page 8, lines 26 and 27, by striking out all of said lines.

Amend Sec. 1, (Sec. 306), page 8, line 28, by striking out the words "not to exceed seventy-five dollars".

Amend Sec. 1, (Sec. 306), page 9, lines 7, 8 and 9, by striking out the words "except that the board upon petition of the claimant may grant an additional thirty days".

Amend Sec. 1, (Sec. 306), page 9, line 16, by inserting a light face bracket after the word "refusal", and inserting immediately thereafter:

Provided, That the disabled employe, by petition to the board and notice to the employer may be permitted by the board to consult a physician of his own choice at any time during his disability the cost of such consultation to be paid by the employer, in accordance with a schedule of charges to be prescribed and approved by the board. Any such request shall be acted upon promptly, either with or without a hearing, and shall have preference over any other matter or proceeding pending before the board or referee. Upon application of a disabled employe, the board may issue its order requiring the employer to furnish such other services, hospital treatment, medicines, artificial appliances, or supplies during such further period, and in such additional amounts after the three months' period as the board may in justice deem advisable. The cost of such services, (exclusive of the cost of hospital treatment and artificial appliances), medicines and supplies during the aforesaid three months' period, shall not exceed

two hundred dollars ($200). If the employer shall upon application made to him, refuse to furnish such services, hospital treatment, appliances, medicines, and supplies, the employe may procure same and shall receive from the employer the reasonable cost thereof. If the employe shall refuse such services, hospital treatment, appliances, medicines, and supplies tendered to him by his employer, he shall forfeit all rights to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal: Provided, further, however, That the employe need not submit to surgical treatment which in the opinion of at least two qualified physicians might jeopardize his life. The employer shall also furnish to the employe or pay the cost of transportation to and from the place where such services are rendered and reimbursement for such costs assumed by the employe may be enforced as payments of compensation are enforced.

(g) Should the employe die as a result of the occupational disease, the period during which compensation shall be payable to his dependents under section three hundred and seven of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article. No reduction shall be made for the amount which may have been paid or contracted to be paid for medical and hospital services and medicines, nor for the expenses of the last sickness and burial. Should the employe die from some other cause than the occupational disease, the liability for compensation shall cease.

Amend Sec. 1 (Sec. 307), page 9, line 20, by inserting a light face bracket before the word "subject" and after the figure "301".

Amend Sec. 1 (Sec. 307), page 9, line 27, by striking out the word "seven" and inserting in lieu thereof: eight.

Amend Sec. 1 (Sec. 307), page 10, line 1, by inserting light face brackets before and after the words "thirty-five" and inserting immediately thereafter: fifty.

Amend Sec. 1 (Sec. 307), page 10, line 2, by striking out the word "ten" and inserting in lieu thereof: twelve.

Amend Sec. 1 (Sec. 307), page 10, line 4, by inserting light face brackets before and after the words "forty-five" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 6, by striking out the word "thirteen" and inserting in lieu thereof: sixteen.

Amend Sec. 1 (Sec. 307), page 10, line 7, by inserting light face brackets before and after the words "fifty-five" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 8, by striking out the word "sixteen" and inserting in lieu thereof: eighteen.

Amend Sec. 1 (Sec. 307), page 10, line 10, by inserting a light face bracket before the words "sixty-two" and after the words "one-half" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 12, by striking out the word "eighteen" and inserting in lieu thereof: twenty.

Amend Sec. 1 (Sec. 307), page 10, line 15, by striking out the word "twenty" and inserting in lieu thereof: twenty-two.

Amend Sec. 1 (Sec. 307), page 10, line 17, by inserting light face brackets before and after the words "forty-four" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 18, by striking out the word "twelve" and inserting in lieu thereof: fourteen.

Amend Sec. 1 (Sec. 307), page 10, line 20, by inserting light face brackets before and after the words "fifty-three" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 21, by striking out the word "fifteen" and inserting in lieu thereof: eighteen.

Amend Sec. 1 (Sec. 307), page 10, line 23, by inserting a light face bracket before the words "sixty-two" and after the words "one-half" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 10, line 24, by striking out the word "eighteen" and inserting in lieu thereof: twenty

Amend Sec. 1 (Sec. 307), page 10, line 27, by striking out the word "twenty" and inserting in lieu thereof: twenty-two.

Amend Sec. 1 (Sec. 307), page 11, line 3, by inserting light face brackets before and after the words "twenty-five" and inserting immediately thereafter: fifty.

Amend Sec. 1 (Sec. 307), page 11, line 4, by striking out the word "six" and inserting in lieu thereof: twelve.

Amend Sec. 1 (Sec. 307), page 11, line 7, by inserting after the word "be" conclusively.

Amend Sec. 1 (Sec. 307), page 11, line 10, by inserting light face brackets before and after the words "forty-five" and inserting immediately thereafter: sixty-six and two-thirds.

Amend Sec. 1 (Sec. 307), page 11, line 11, by striking out the word "eleven" and inserting in lieu thereof: eighteen.

Amend Sec. 1 (Sec. 307), page 11, line 16, by inserting light face brackets before and after the word "fifteen" and inserting immediately thereafter: thirty.

Amend Sec. 1 (Sec. 307), page 11, line 17, by inserting light face brackets before and after the word "five" and inserting immediately thereafter: ten.

Amend Sec. 1 (Sec. 307), page 11, line 19, by inserting light face brackets before and after the words "twenty-five" and inserting immediately thereafter: fifty.

Amend Sec. 1 (Sec. 307), page 11, line 25, by inserting after the part-word "dred" and fifty.

Amend Sec. 1 (Sec. 307), page 12, line 4, by insertin light face brackets before and after the word "sixteen and inserting immediately thereafter: eighteen.

Amend Sec. 1 (Sec. 307), page 12, lines 7 and 8, by in serting a light face bracket before the word "actually in line 7, and after the word "her" in line 8, and insertin immediately thereafter: dependent upon him for.

Amend Sec. 1 (Sec. 307), page 12, line 23, by insertin a light face bracket before the word "Provided".

Amend Sec. 1 (Sec. 307), page 13, line 1, by inserting light face bracket after the word "widower".

Amend Sec. 1 (Sec. 307), page 13, line 11, by strikin out the word "seventeen" and inserting in lieu thereof eighteen.

Amend Sec. 1 (Sec. 307), page 13, lines 12 to 27, bot inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 307), page 13, lines 28 and 29, b striking out all of said lines.

Amend Sec. 1 (Sec. 307), page 14, lines 1 and 2, b striking out all of said lines, and inserting in lieu thereo

This compensation shall be paid during [three] fou hundred weeks, and in the case of children entitled compensation under this section the compensation of eac child shall continue after said period of [three] four hu dred weeks until such child reaches the age of [sixteen eighteen, at the rate of [seventeen and one-half] thir per centum of wages, but not in excess of [four] six do lars per week, if there is one child; [twenty-seven an one-half] forty per centum of wages, but not in exce of [six and a half] nine dollars per week, if there a two children; [thirty-eight and one-half] fifty per centu of wages, but not in excess of [nine] twelve dollars p week, if there are three children; [fifty] sixty per centu of wages, but not in excess of [eleven and a half] fou teen dollars per week, if there are four children; [fift five] sixty-six and two-thirds per centum of wages, b not in excess of [twelve dollars and seventy-five cent sixteen dollars per week, if there be five children; an [sixty] sixty-six and two-thirds per centum of wag but not in excess of [fourteen] eighteen dollars per wee if there be six children or more.

Amend Sec. 1, page 14, by inserting between lines and 24:

Section 4. Subsection (a) of section three hundr eight of said act, as amended by the act approved t

twelfth day of June, one thousand nine hundred forty-one (P. L. 125), is hereby further amended to read as follows:

Section 308. (a) When compensation is awarded because of disability or death caused by silicosis, anthracosis, pneumoconiosis, anthraco-silicosis, asbestosis, or any other occupational disease which developed to the point of disablement only after an exposure of five or more years, the compensation for disability or death due to such disease shall be paid jointly by the employer and the Commonwealth out of moneys to the credit of the Occupational Disease Fund hereinafter created in the State Workmen's Insurance Fund in accordance with the following provisions: If disability begins between October 1, 1939, and September 30, 1941, both dates inclusive, the employer shall be liable for and pay fifty per centum of the compensation due and the Occupational Disease Fund fifty per centum thereof. Thereafter, depending upon the date when disability begins, the proportions of compensation for which the employer and the Occupational Disease Fund shall respectively become liable shall be: If disability begins between October 1, 1941, and September 30, 1943, the employer sixty per centum and the Occupational Disease Fund forty per centum; if between October 1, 1943 and September 30, 1945, the employer seventy per centum and the Occupational Disease Fund thirty per centum; if between October 1, 1945, and September 30, 1947, the employer eighty per centum and the Occupational Disease Fund twenty per centum; if between October 1, 1947, and September 30, 1949, the employer ninety per centum and the Occupational Disease Fund ten per centum. The employer shall pay the full amount of compensation provided in this act for disability or death in all cases where disability begins on or after October 1, 1949.

Section 5. Article three of said act is hereby amended by inserting between sections three hundred eight and three hundred nine thereof, a new section to read as follows:

Section 308.1. The public policy of the Commonwealth of Pennsylvania is hereby declared to be that the method of computing wages as set forth in this section and the rates to be paid the disabled employes or their dependents under sections 306 and 307 of this act are just and reasonable.

Wherever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensd under the contract of hiring in force at the time of the accident, except that if the disabled employe was at the time of the disability a minor and his disability shall continue after he shall have reached the age of twenty-one years, his average weekly wage for the purpose of determining the compensation payable under this act shall be determined on the basis of the earnings that such minor, if not disabled, probably would earn at the age of twenty-one years. In determining such probable earnings, due consideration shall be given to the employe's aptitude, education and experience fitting him for any employment not only in the trade or business in which he was engaged at the time of the injury but in any other trade or business. In determining such probable earnings the referee and the board shall have the right to receive into evidence as competent testimony the earnings of other employes of similar aptitude, education and experience engaged in a similar trade or business and findings based upon such testimony shall be final. The term "wages" shall include board and lodging received from the employer. Whenever the employe receives board and lodging as a part of his wages, the board shall be rated at fifty cents per day, and board together with lodging shall be rated at one dollar per day for the purpose of computing wages. In seasonable occupations the employe's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident, unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe, in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings. In continuous employments, if immediately prior to the accident, the rate of wages was fixed by the day or hour or by the output of the employe, his weekly wages shall be taken to be five and one-half times his average earnings at such rate for a working day, and using as a basis of calculation his earnings during so much of the preceding six months as he worked for the same employer: Provided, hwever, That if the employe regularly and habitually worked more than five and one-half days per week the weekly wage shall be found by multiplying his average earnings for working day by six, six and one-half or seven according to the customary number of working days constituting an ordinary week in his occupation or trade. Where the employe is working under concurrent contracts with two or more employers, his wages from all employers shall be considered as if earned from the employer liable for compensation.

In cases where the employe has been in the employ of the employer less than one full week, and by reason of the shortness of time during which the employe has been in the employment of the employer or the nature or terms of the employment, it is impracticable to ascertain the average weekly wages as hereinbefore provided the average weekly amount which during the six months previous to the disability has been earned by other persons employed by the same employer under similar contracts of hiring, or if there are no persons so employed, by other persons employed by other employers under similar contracts of hiring under similar conditions shall be taken as the basis for the ascertainment of the weekly wages of such employe.

Section 6. Section three hundred nine of said act is hereby repealed.

Section 7. Section three hundred nineteen of said act is hereby amended to read as follows:

Amend Sec. 1 (Sec. 320), page 15, line 15, by striking out the words "Section 320'" and inserting in lieu thereof:

Section 8. Subsection (a) of section three hundred twenty of said act is hereby amended, and subsection (g) of said section is hereby added, to read as follows;

Section 320. (a) If the employe is a minor under the age of eighteen years, employed or permitted to work in violation of any provisions of the laws of this Commonwealth relating to minors of such age, compensation, either in the case of disability or death of such employe, shall be [one hundred and ten per centum of] double the amount that would be payable to such minor if legally employed. The amount by which such compensation shall exceed that provided for in case of legal employment may be referred to as "additional compensation."

Amend Sec. 1, page 15, by inserting between lines 23 and 24:

Section 9. Sections four hundred twenty-eight and four hundred thirty-four of said act are hereby amended to read as follows:

Amend Sec. 1, page 18, by inserting after line 27, the following:

Section 434. A final receipt given by an employe or dependent entitled to compensation under a compensation agreement or award reciting that the disability or dependency has terminated shall be prima facie evidence of the termination of the employer's liability to pay compensation under such agreement or award: Provided, however, That the board or a referee designated by the board may at any time within [two years] five hundred weeks from the date [to which payment is made as evidenced by such final receipt] of the disability set aside a final receipt upon petition filed with the board if it be [conclusively] proved that [such receipt was procured by fraud, coercion or other improper conduct of a party, or is founded upon mistake of law or of fact] at the time of the execution of the receipt the disabled employe was not in fact able to return to work without loss of earning

power, or that the employe had a condition which resulted from the accident which condition existed at the time the compensation agreement was executed and which was not covered by such agreement, or that the employe had an existing disability at the time the final receipt was taken.

Payments shall be made by the employer or insurance carrier on every agreement or award other than for a definite period until a final receipt has been filed with and approved by the department, or until a petition to terminate or modify has been filed under section four hundred and thirteen.

Section 10. Article four of said act is hereby amended by adding at the end thereof three new sections to read as follows:

Section 435. Any hospital, institution, physician, surgeon, or other person who has furnished surgical, medical, dental or nursing services, hospital treatment, artificial appliances, medicines or supplies for which the employer is made liable under the provisions of this act shall be deemed a party in interest and have standing with the consent of the claimant before the board or any referee designated by the board and the courts of this Commonwealth to present a claim for remuneration for such services, hospital treatment, artificial appliances, medicines and supplies, and have the same heard and determined, and shall be entitled to receive an award for such remunerations. Any such claimant shall be entitled to enforce any such award in the same manner as claimants of compensation are entitled to enforce awards of compensation.

Section 436. The board or a referee designated by the board or any court of this Commonwealth in granting an award of compensation to an injured employe or his dependants, or in affirming or modifying and affirming such an award, or in reversing the disallowance of such an award shall in addition to such compensation include in such an award or judgment expert's fees, if any, rendered in any such proceeding, payment of which may be enforced in the same manner as the payment of an award may be enforced under the provisions of this act.

Section 437. Any claimant may appear in person or may appoint an attorney-in-fact to appear and represent him in filing papers and presenting the facts to a Workmen's Compensaton referee and the Workmen's Compensation Board, or he may be represented by counsel learned in the law in all matters under this act which come before a compensation referee or the compensation board. Where an injured employe or his dependents appoint an attorney-in-fact to be his or her representative in compensation proceedings before a referee or the compensation board, the instrument creating and constituting the attorney-in-fact shall be filed with the compensation board in the case.

Amend Sec. 2, page 18, line 28, by striking out the figure "2" and inserting in lieu thereof: 11

The SPEAKER. Will the House give unanimuos consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. LEVY. Mr. Speaker, in offering these amendments I wish to make one question very clear by a very brief explanation.

The amendments are quite lengthy in wording but may be made very, very brief in explanation. We are not asking in these amendments any change in the schedule of compensation. The amendment merely concerns itself with including all occupational diseases into the Occupational Disease Act, and we ask you to consider it very carefully and to vote "aye" on the amendments.

Mr. SORG. Mr. Speaker, I want to say that the amendments concerning schedules and rates are exactly the same as were proposed by the previous amendments, as will be indicated on page eleven.

Mr. LEVY. Mr. Speaker, I ask that the House approve the amendments.

Mr. LOVETT. Mr. Speaker, these amendments, while they might not increase any of the benefits, liberalize the Workmen's Compensation Act and the Disease Act in Pennsylvania. I just want to warn you that those of you who are interested in keeping workmen's compensation as it stands today and not creating a monopoly in the state fund, better sometime stop and think, because if you do not liberalize these acts you will find that it will be necessary to set up a monopoly in the State of Pennsylvania. Industry itself will possibly be benefited. They will eventually wake up to that fact. The insurance people in the state will lose the business unless you liberalize these acts. I just want you to keep that in mind in voting on this legislation.

Mr. ANDREWS. Mr. Speaker, as I understand it, the heart of these amendments is the schedule of what is and what is not an occupational disease, and included in the schedule is "poisoning by arsenic, lead and mercury, manganese, poisoning by phosphorus, poisoning by various chemicals and commodities used in modern industry." As a result of war-time technology we are using chemicals to a greater and greater degree with the result that science has gone faster in injecting new disease-producing chemicals into industry than legislation has gone in classifying the poisoning as a result of those chemicals as occupational diseases.

The purpose of the amendment is to make the list of occupational diseases conform with the known result that happens in our factories.

I am, of course, even in disagreement with the amendment, and I just want to point out one of the things that sets a standard here in Pennsylvania. In this bill you raise the maximum compensation payable for disability and death from silicosis from the magnificent sum of thirty-six hundred dollars to four thousand dollars, which shall be full and complete payment for all disability to a man with the rattle of death bubbling in his lungs, sentenced irretrievably to die, nothing in modern science can save him. When you hear them talking you hear the rattle of death in their lungs, yet for complete total disability we pay them four thousand dollars and then we talk about what we are doing for the injured in industry. I tell you that in face of the fact that the mining industry and the Legislature have never been willing to face the problem of silicosis which sets the standard of our legislative achievement, and is one paragraph in this bill, the injustice of that occupational disease and that compensation being what it is, is worth another week's session of this General Assembly in order to do something for the men who are absolutely sentenced to die from the minute they contract silicosis, yet they give them four thousand dollars as total disability, and boast of our compensation laws.

Mr. JAMES. Mr. Speaker, I, and I presume others, find ourselves again in a position where we cannot vote intelligently on the amendments offered. For my own part I never have, I shall not now and never will vote on the acceptance of anything by this House that I have

had no opportunity to study, and therefore, I cannot vote aye on these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Levy and Mr. Andrews.

Messrs. Lovett, Levy and O'Donnell asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—87

Andrews,	Gallagher,	McNair,	Reese, R. E.,
Baker,	Gore,	McNally,	Reidenbach,
Barrett,	Grant,	Mihm,	Reynolds,
Bentzel,	Green,	Mills,	Rose,
Boney,	Haberlen,	Modell,	Rudisill,
Boory,	Hamilton,	Mooney,	Scanlon,
Brancato,	Heatherington,	Moore, W. J.,	Schuster,
Brothers,	Hennihan,	Moran,	Shaffer,
Brown,	Hering,	Munley,	Snider,
Brunner, P. A.,	Hersch,	Murray, M. L.,	Stank,
Burns,	Hunter,	Myhan,	Swope,
Chudoff,	Jones,	Nagel,	Tate,
Cohen,	Kirley,	O'Brien,	Trachtman,
Coleman,	Komorofski,	O'Connor,	Trent,
Coyle,	Lane,	O'Donnell,	Varallo,
Cullen,	Leonard,	O'Neill,	Verona,
Dillon,	Levy,	Owens,	Weiss,
Dougherty,	Longo,	Pettigrew,	Welsh,
Duffy,	Lopez,	Polaski,	White,
Elish,	Lovett,	Polen,	Wright,
Finnerty,	Matthews,	Powers,	Yester,
Gaffney,	McLanahan,	Readinger,	

NAYS—100

Barton,	Frost,	Lichtenwalter,	Root,
Baumunk,	Fullerton,	Loftus,	Royer,
Bonawitz,	Gardner,	Lyons,	Salus,
Boorse,	Getchey,	Madigan,	Serrill,
Bower,	Gibson,	Mahany,	Shoemaker,
Breisch,	Goodling,	McAtee,	Sloan,
Brice,	Greenwood,	McClester,	Smith,
Brunner, C. H.,	Greer,	McCormack,	Snyder,
Cadwalader,	Guthrie,	McDowell,	Sollenberger,
Cook,	Gyger,	McKinney,	Sorg,
Cooper,	Hall,	McMillen,	Stonier,
Costa,	Hare,	Mikula,	Stuart,
Coulson,	Haudenshield,	Miller,	Tahl,
Dague,	Helm,	Moore, C. E.,	Tittle,
Dalrymple,	Hewitt,	Moser,	Turbett,
Dennison,	Hoffman,	Murray, P. G.,	Turner,
Depuy,	Hoopes,	Nelson,	Wachhaus,
Dix,	Howells,	O'Dare,	Waterhouse,
Dye,	Huntley,	Pickens,	Watkins,
Elder,	Kline,	Propert,	Wescott,
Erb,	Krise,	Reagan,	Wood, L. H.,
Ewing,	Kurtz,	Reese, D. P.,	Wood, N.,
Flack,	Laughner,	Reilly,	Worley,
Fleming,	Lee,	Riley,	Yeakel,
Foor,	Leisey,	Robertson,	Fiss, Speaker.

NOT VOTING—19

Bentley,	Freed,	Kolankiewicz,	Regan,
Boies,	Herman,	Madden,	Skale,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,
Fox,	Kennedy,	Petrosky,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madigan,	Reynolds,
Barrett,	Gallagher,	Mahany,	Riley,
Barton,	Gardner,	Matthews,	Robertson,
Baumunk,	Getchey,	McAtee,	Root,
Bentzel,	Gibson,	McClester,	Rose,
Bonawitz,	Goodling,	McCormack,	Royer,
Boney,	Gore,	McDowell,	Rudisill,
Boorse,	Grant,	McKinney,	Salus,
Boory,	Green,	McLanahan,	Scanlon,
Bower,	Greenwood,	McMillen,	Schuster,
Brancato,	Greer,	McNair,	Serrill,
Breisch,	Guthrie,	McNally,	Shaffer,
Brice,	Gyger,	Mihm,	Shoemaker,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kirley,	O'Dare,	Varallo,
Depuy,	Kline,	O'Donnell,	Verona,
Dillon,	Komorofski,	O'Neill,	Wachhaus,
Dix,	Krise,	Owens,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Reidenbach,	Yester,
Frost,	Lovett,		Fiss, Speaker.

NAYS—0

NOT VOTING—19

Bentley,	Freed,	Kolankiewicz,	Regan,
Boies,	Herman,	Madden,	Skale,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,
Fox,	Kennedy,	Petrosky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary General to meet during the session of the House.

Mr. ERB asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. ROYER asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

Mr. KLINE asked and obtained permission for the Committee on Insurance to meet during the session of the House.

COMMITTEE REPORTS

Mr. MOSER from the Committee on Public Utilities reported as committed Senate Bill No. 716, entitled:

An Act to amend section eight of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1969) entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act" by providing that before a certificate of incorporation shall issue to an electric cooperative corporation the Pennsylvania Public Utility Commission shall find and determine certain facts and approve the articles of incorporation.

Mr. MILLIKEN from the Committee on Constitutional Amendments reported as committed Senate Bill No. 344, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

Mr. SALUS from the Committee on Judiciary General reported as committed Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one-tenth to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole

Mr. SALUS from the Committee on Judiciary General reported as committed Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied

Mr. McCORMACK from the Committee on Insurance reported as committed Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers, directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license, excise, privilege, premium, occupation or other fee or tax imposed by any State or political subdivision thereof.

Mr. MILLER from the Committee on Insurance reported as committed Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporaion of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

Mr. RUSSELL E. REESE from the Committee on Public Health and Sanitation reported as committed Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain dutes on the Department of Health of this Commonwealth and on the local health authorities and providing penalties

Mr. LAUGHNER from the Committee on Insurance reported as committed Senate Bill No. 638, entitled:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policy-holders' surplus of two million dollars and for reserves as required by the act approved the sevnenteeth day of May one thousand nine hundred and twenty-one (P. L. 789).

Mr. SERRILL from the Committee on Appropriations reported as committed Senate Bill No. 749, entitled:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention, diagnosis, care and treatment of rheumatic fever and rheumatic heart disease.

Mr. POWERS from the Committee on Counties reported as committed Senate Bill No. 762, entitled:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend six hundred eighteen six hundred nineteen and six hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes revising amending and consolidating the laws relation thereto" by making provision for the erection construction maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings wings and units at general hospitals and for the payment of the same county funds including the cost of the care and treatment of indigent and part-pay patients.

Mr. FLEMING from the Committee on Appropriations reported as committed Senate Bill No. 765, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the county of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation.

Mr. HELM from the Committee on Education reported as committed Senate Bill No. 769, entitled:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the school Employes' Retirement Association engaged in active military service" by extending the time of employes to rejoing the School Employes' Retirement Association after completion of active military service and removing the requiement for a physical examination in certain cases.

Mr. McKINNEY from the Committee on Appropriations reported as committed Senate Bill No. 770, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

Mr. REAGAN from the Committee on Agriculture reported as committed Senate Bill No. 776, entitled:

An Act to further amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages.

Mrs. DYE from the Committee on Military Affairs reported as committed Senate Bill No. 771, entitled:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons.

Mr. SHAFFER from the Committee on Counties reported as committed Senate Bill No. 784, entitled:

An Act to further amend Section 320 of an act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as least amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365)

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 967, entitled:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages and confession of judgments and protecting the lien of mortgages given by purchases to sellers if recorded within thirty days from the date of such mortgage.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1287, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by requiring the furnishing of light and heavy weight uniforms to the Pennsylvania State Police

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 103, entitled:

An Act making an appropriation to the Department of Property and Supplies for additions repairs and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities person association or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" providing for and regulating the change of width grade lines or location of state highways in such cities the ascertainment and assessment of damages and benefits to abutting property in connection therewith and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures and making appropriations from the Motor License Fund

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill 396, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by terminating interest on accumulated deductions on the date of separating from school service.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 438, Printer's No. 497,

was passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SORG asked and obtained permission for the Committee on Constitutional Amendments to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 144, entitled:

An Act to amend section one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents in death and compensation cases; and prescribing penalties," by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bille No. 528, entitled:

An Act to further amend section fourteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasurer, in counties containing over one hundred and fifty thousand inhabitants," by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection
Senate Bill No. 561, Printer's No. 353,
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the limitation of the development of such projects until December 31, 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately three-tenths of an acre of land in the County of Delaware upon which is erected the Chester Range Front Light and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection
Senate Bill No. 695, Printer's No. 403,
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 713, entitled:

An Act to amend sections three and five of Article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by making provisions for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection
Senate Bill No. 723, Printer's No. 472,
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 734, entitled:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 750, entitled:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated or new institutions and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 775, entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1128, entitled:

An Act relating to the sale transfer assignment and pledge of accounts receivable to make financial assistance possible through the assignment of accounts receivable and amounts due or to become due on open accounts or contracts whether or not debtors thereon are notified of such assignments providing for the rights of such debtors and providing that non-notification shall not affect or impair such assignment.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 355, Printer's No. 382,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 524, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 635) entitled "An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintentnce of a thorough and efficient public school system prescribing its powers and duties and making an appropriation" continuing such commission changing its purpose and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 748, entitled:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America or any federal agency and placing such lands under the control and supervision of the Department of Forests and Waters

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 760, entitled:

An Act to amend sections three, four and five and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the third day of July, one thousand nine hundred forty-one (P. L. 244), entitled "A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended, entitled 'An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain or said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July, one thousand nine hundred forty-one (P. L. 249) entitled, as amended, "A Supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled 'An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties,'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service, and removing the requirement for a physical examination in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 716, entitled:

An Act to amend section eight of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1969) entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers pro-

viding for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act", by providing that before a certificate of incorporation shall issue to an electric cooperative corporation the Pennsylvania Public Utility Commission shall find and determine certain facts and approve the articles of incorporation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 344, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one tenth to the act, approved the sixth day of August, one thousand nine hunded forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 435, entilted:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers, directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license, excise, privilege, premium, occupation or other fee or tax imposed by any State or political subdivision thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permittnig certain additional stock insurance companies to come within the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 638, entitled:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policy-holders' surplus of two million dollars and for reserve as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 749, entitled:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention diagnosis care and treatment of rheumatic fever and rheumatic heart disease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend six hundred eighteen six hundred nineteen and six hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes revising amending and consolidating the laws relating thereto" by making provision for the erection construction maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings wings and units at general hospitals and for the payment of the same county funds including the cost of the care and treatment of indigent and part-pay patients.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 765, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the county of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds. imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 770, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 776, entitled:

An Act to further amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 771, entitled:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 784, entitled:

An Act to further amend Section 320 of an Act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365)

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1104.

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion providing for the organization of the various counties into soil conservation districts the appointment of their officers and employes and prescribing their powers and duties creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto providing for disposition and operation of existing districts and repealing existing laws

With the information that the Senate has passed the same with amendments, in which concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 4, line 2, by striking out the following: "and one member to be selected by the directors of the several soil conservation districts"; also in line 23, by striking out the following: "and the member selected and appointed by the directors of the several soil conservation districts".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madigan,	Reynolds,
Barrett,	Gallagher,	Mahany,	Riley,
Barton,	Gardner,	Matthews,	Robertson,
Baumunk,	Getchey,	McAtee,	Root,
Bentzel,	Gibson,	McClester,	Rose,
Bonawitz,	Goodling,	McCormack,	Royer,
Boney,	Gore,	McDowell,	Rudisill,
Boorse,	Grant,	McKinney,	Salus,
Boory,	Green,	McLanahan,	Scanlon,
Bower,	Greenwood,	McMillen,	Schuster,
Brancato,	Greer,	McNair,	Serrill,
Breisch,	Guthrie,	McNally,	Shaffer,
Brice,	Gyger,	Mihm,	Shoemaker,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kirley,	O'Dare,	Varallo,
Depuy,	Kline,	O'Donnell,	Verona,
Dillon,	Komorofski,	O'Neill,	Wachhaus,
Dix,	Krise,	Owens,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Reidenbach,	Yester,
Frost,	Lovett,		Fiss, Speaker.

NAYS—0

NOT VOTING—19

Bentley,	Freed,	Kolankiewicz,	Regan,
Boies,	Herman,	Madden,	Skale,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,
Fox,	Kennedy,	Petrosky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 671.

An Act to amend section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring milk dealers to give daily reports of milk delivered by milk producers

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 5, line 1, by striking out after the word "any" the words "one dealer" and inserting in lieu thereof the following: "receiving station or plant receiving milk"; also in line 2 by striking out after the word "be" the word "petitioned" and inserting in lieu thereof the word "considered".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker	Gallagher,	Mahany,	Riley,
Barrett,	Gardner	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentzel,	Goodling,	McCormack,	Royer,
Bonawitz,	Gore,	McDowell,	Rudisill,
Boney,	Grant,	McKinney,	Salus,
Boorse,	Green,	McLanahan,	Scanlon,
Boory,	Greenwood,	McMillen,	Schuster,
Bower,	Greer,	McNair,	Serrill,
Brancato,	Guthrie,	McNally,	Shaffer,
Breisch,	Gyger,	Mihm,	Shoemaker
Brice,	Haberlen,	Mikula,	Sloan,
Brothers,	Hall,	Miller,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Costa,	Hoopes,	Myhan,	Tittle,
Coulson,	Howells,	Nagel,	Trachtman,
Coyle,	Hunter,	Nelson,	Trent,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	Jones,	O'Connor,	Turner,
Dalrymple,	Kirley,	O'Dare,	Varallo,
Dennison,	Kline,	O'Donnell,	Verona,
Depuy,	Komorofski,	O'Neill,	Wachhaus,
Dillon,	Krise,	Owens,	Waterhouse,
Dix,	Kurtz,	Pettigrew,	Watkins,
Dougherty,	Lane,	Pickens,	Weiss,
Duffy,	Laughner,	Polaski,	Welsh,
Dye,	Lee,	Polen,	Wescott,
Elder,	Leisey	Powers,	White,
Elish,	Leonard,	Propert,	Wood, L. H.,
Erb,	Levy,	Readinger,	Wood, N.,
Ewing,	Lichtenwalter,	Reagan,	Worley,
Finnerty,	Loftus,	Reese, D. P.,	Wright,
Flack	Longo,	Reese, R. E.,	Yeakel,
Fleming,	Lopez,	Reidenbach,	Yester,
Foor,	Lovett,	Reilly,	Fiss,
Frost,	Lyons,		Speaker.
Fullerton,			

NAYS—0

NOT VOTING—19

Bentley,	Freed	Kolankiewicz,	Regan,
Boies,	Herman,	Madden,	Skale,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James	Pentrack,	Wagner,
Fox,	Kennedy,	Petrosky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 805, entitled:

An Act to amend Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made by the Senate and concur in said amendments.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 6, by striking out after the word "unauthorized" the word "connection" and inserting in lieu thereof the word "connections".

Amend Section 1, page 2, line 5, by inserting after the word "Whoever" the following: "wilfully and maliciously"; also in line 12, by striking out after the word "means" the word "knowingly" and inserting in lieu thereof the words "wilfully and maliciously"; also in line 18, by striking out after the word "or" the word "receive" and inserting in lieu thereof the word "receives".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mihm,	Sloan,
Brice,	Haberlen,	Mikula,	Smith,
Brothers,	Hall,	Miller,	Snider,
Brown,	Hamilton,	Mills,	Snyder,
Brunner, C. H.,	Hare,	Modell,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Mooney,	Sorg,
Burns,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stonier,
Chudoff,	Hennihan,	Moran,	Stuart,
Cohen,	Hering,	Moser,	Swope,
Coleman,	Hersch,	Munley,	Tahl,
Cook,	Hewitt,	Murray, M. L.,	Tate,
Cooper,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	Jones,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Komorofski,	O'Neill,	Waterhouse,
Dillon,	Krise,	Owens,	Watkins,
Dix,	Kurtz,	Pettigrew,	Weiss,
Dougherty,	Lane,	Pickens,	Welsh,
Duffy,	Laughner,	Polaski,	Wescott,
Dye,	Lee,	Polen,	White,
Elder,	Leisey,	Powers,	Wood, L. H.,
Elish,	Leonard,	Propert,	Wood, N.,
Erb,	Levy,	Readinger,	Worley,
Ewing,			

Finnerty,	Lichtenwalter,	Reagan,	Wright,
Flack,	Loftus,	Reese, D. P.,	Yeakel,
Fleming,	Longo,	Reese, R. E.,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,	Reilly,	Speaker.
Fullerton,	Lyons,	Reynolds,	

NAYS—0

NOT VOTING—19

Bentley,	Freed	Kolankiewicz,	Regan,
Boies,	Herman,	Madden,	Skale,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,
Fox,	Kennedy,	Petrosky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 558

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 558, Printer's No. 262, entitled "An Act to amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled 'An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws' limiting the amount of refund payable to such employes who resign or fail to return to their employment and providing for payments to school districts."

EDWARD MARTIN.

RECESS

The SPEAKER. If there is no objection the Chair will now declare a recess until 9 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 140.

An Act making an appropriation to aid certain school districts.

HOUSE BILL No. 216.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

HOUSE BILL No. 423.

An Act to add section two thousand three hundred eleven point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing temporarily for payment of State appropriations where schools are closed on account of impassable roads heavy snow or floods or inability to secure fuel for heating

HOUSE BILL No. 511.

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

HOUSE BILL No. 827.

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions and limiting surcharges to the actual financial loss sustained

HOUSE BILL No. 874.

An Act to further amend the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" providing for associations to be formed by two or more cooperative agriculture associations removing certain limitations on holding of common stock enlarging the powers to purchase stock of certain other corporations providing for preferred stock in classes differing only as to rate of dividend further regulating preferred stock dividends and patronage refunds further regulating voting rights of stock holders requiring filing of summaries of audits imposing penalties and changing the words "Auditor General" to the words "Secretary of Revenue"

SENATE BILL No. 46.

An Act to further amend sections two and thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners

registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years

SENATE BILL No. 118.

An Act authorizing the Secretary of Property and Supplies to sell and convey a lot or piece of land in the borough of Edinboro Erie County Pennsylvania

SENATE BILL No. 194.

An Act to further amend section twenty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by increasing the fee for killing unlicensed dogs

SENATE BILL No. 262.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors.

SENATE BILL No. 263.

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

SENATE BILL No. 293.

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798—No. 591) entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing the amount which the counties will receive from the State for forest reserves.

SENATE BILL No. 426.

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

SENATE BILL No. 452.

An Act to add section two thousand three hundred twenty-two to the act, approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trutsees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention, and to stimulate, develop, and coordinate crime prevention activities in this Commonwealth.

SENATE BILL No. 469.

An Act to repeal the act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor"

SENATE BILL No. 476.

An Act to amend section five hundred ninety of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States

SENATE BILL No. 499.

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P .L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollments as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

SENATE BILL No. 500.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

SENATE BILL No. 501.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and streets lists

SENATE BILL No. 503.

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the terms of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

SENATE BILL No. 527.

An Act providing for the indexing of the Legislative Journal and fixing the sum allowed therefor

SENATE BILL No. 532.

An Act to amend section two of the Act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of choosing the stock transfer books

SENATE BILL No. 537.

An Act to amend section twenty-eight and to repeal section twenty-nine of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" providing for payment of the compensation of local registrars by the Commonwealth and relieving counties from such payments

SENATE BILL No. 590.

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

SENATE BILL No. 628.

An Act to amend section thirteen hundred four of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" increasing the annual amount available for bear damages

SENATE BILL No. 629

An Act to amend section six hundred four of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting for purposes of conservation the designation and posting of beaver colonies prohibiting the trapping of beavers at any time in such colonies and imposing penalties

SENATE BILL No. 714.

An Act to amend sections eight nine and thirteen of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County providing for the creation of the Pennsylvania Turnpike Commission and conferring powers and imposing duties on said commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such turnpike shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by providing additional purposes for which turnpike revenue bonds may be issued regulating the sale and use of the proceeds thereof and regulating the issuance of turnpike revenue refunding bonds

SENATE BILL No. 721.

An Act to further amend section two hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating when a director may be elected solicitor to the board

SENATE BILL No. 722.

An Act to amend the act approved the fifteenth day of March one thousand eight hundred ninety-nine (P. L. 8) entitled "An act to regulate the manner in which appropriations to educational penal reformatory charitable benevolent or eleemosynary institutions shall be paid" by further regulating appropriations made to land grant colleges

SENATE BILL No. 727.

An Act to provide for the sentencing of male persons convicted of certain crimes the commitment of defective delinquents and repealing certain laws

SENATE BILL No. 728.

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents creating in the Department of Welfare the Pennsylvania Correctional Diagnostic and Classification Center providing for the diagnosis and classification of persons sentenced or committed by the courts to "a State institution" fixing the responsibility for costs of transportation and maintenance of such persons prescribing duties of the courts and the powers and duties of the Department of Welfare relative thereto making civil and criminal laws applicable to penitentiaries and persons therein or responsible therefor applicable in the case of the said institution

SENATE BILL No. 729.

An Act creating certain penal and correctional institutions and boards of trustees to manage them abolishing certain penal and correctional institutions imposing duties upon the Department of Welfare and providing for cost of transportation and maintenance of inmates

SENATE BILL No. 730.

An Act authorizing the Department of Property and Supplies to acquire for the use of the Department of Welfare the KisLyn School located in Luzerne County to be used as a training school for certain juvenile delinquents creating a board of trustees to supervise and manage such institution regulating the admission and cost of care and maintenance of such juvenile delinquents

SENATE BILL No. 731.

An Act authorizing a State training school for female juvenile delinquents creating a board of trustees to supervise and manage such institution making the admission and cost of care and maintenance of such juvenile delinquents

SENATE BILL No. 736.

An Act validating the action of county commissioners in fixing the compensation of tax collectors in boroughs and townships for collecting county and institution district taxes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 563

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

And has appointed Messrs. Kephart, Crider and Woodring a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 563

Mr. LICHTENWALTER. Mr. Speaker, I move that the House insists upon it amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 563, Messrs. Sorg, Bower and Chudoff.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 894, as follows:

An Act to further amend section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" further regulating State reimbursements to school districts for vocational education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P L 793) is hereby further amended to read as follows

Section 9 (a) The Commonwealth in order to aid in the maintenance of approved local or joint vocational industrial vocational homemaking and vocational agricultural schools or departments shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining such schools or departments by order on the State Treasurer signed by the Superintendent of Public Instruction as the executive officer of the State Board for Vocational Education from funds appropriated by the Legislature for that purpose or otherwise available and in addition to the amounts paid to such school districts under the provisions of section one thousand two hundred and ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended amounts computed in accordance with the following schedules

Districts of the First Class The Commonwealth shall reimburse as hereinafter provided districts of the first class to the extent of twenty-five per centum (25%) of the sum expended for salaries during the previous school year by such district or unions of districts for approved instruction in practical and related technical subjects in day vocational schools or departments and for approved instruction in practical related technical and academic subjects in part-time co-operative schools or departments

Districts of the Second Third and Fourth Classes The Commonwealth shall reimburse as hereinafter provided districts of the second third and fourth classes which have a true valuation per teacher of assessable property exceeding two hundred thousand dollars ($200,000) to the extent of forty per centum (40%) of the sum expended for salaries during the previous school year by such district or unions of districts for approved instruction in practical and related technical subjects in day vocational schools or departments and for approved instruction in practical related technical and academic subjects in part-time co-operative schools or departments and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of more than one hundred thousand dollars ($100,000) and not more than two hundred thousand dollars ($200,000) shall be forty-five per centum (45%) of the sum expended for salaries during the previous school year by such district or unions of districts for approved instruction practical and related technical subjects in day vocational schools or departments and for approved instruction in practical related technical and academic subjects in part-time co-operative schools or departments and that the amount paid to a district in any of the foregoing classes which has a true valuation per teacher of assessable property of not more than one hundred thousand dollars ($100,000) shall be fifty per centum (50%) of the sum expended for salaries during the previous school year by such district or unions of districts for approved instruction in practical and related technical subjects in day vocational schools or departments and for approved instruction in practical related technical and academic subjects in part-time co-operative schools or departments Provided That districts of the fourth class shall be reimbursed to the extent of twenty per centum (20%) of the sum expended for salaries during the previous school year by such districts or unions of districts for approved instruction in academic subjects in approval rural community vocational schools Provided further That no district shall receive a reimbursement of more than eighty per centum (80%) of any one teacher's salary from either Federal or State funds or from both

(b) Whenever two or more school districts unite by joint agreement approved by the Superintendent of Public

Instruction for the purpose of providing and maintaining approved vocational instruction as a part of the school program the Commonwealth shall as provided in this act pay annually from the treasury to such unions of school districts the sum of five hundred dollars ($500) so long as such joint agreement is in effect

(c) Local or joint evening vocational industrial evening vocational homemaking and evening vocational agricultural schools departments or part-time vocational agricultural classes or vocational retraining classes shall be reimbursed annually for the full sum which was expended from July one one thousand nine hundred thirty-seven to June thirty-one thousand nine hundred and [forty-five] forty-nine and thereafter eighty per centum (80%) of the sum which was expended for the salaries of part-time agricultural teachers and evening vocational school teachers and supervisors during the previous school year by such school district or unions of districts for approved instruction in practical and related technical subjects

Local or joint vocational distrimbutive occupational schools departments or classes shall be reimbursed for the full sum which was expended up to June thirty one thousand nine hundred and forty-five and thereafter eighty per centum (80%) of the sum which was expended for the salaries of distributive occupational education teachers for approved instruction during the previous school year by such school districts or unions of districts

(d) If and when the Congress of the United States provides funds for additional types of vocational education other than those provided in this act the State Board for Vocational Education shall have the authority to establish rules and regulations governing the administration of these funds

(e) School districts and unions of school districts shall be reimbursed for the travel expenses of vocational teachers coordinators supervisors and directors in the conduct of approved vocational schools departments and classes annually from the treasury to school districts and unions of school districts eighty per centum (80%) of the sum expended for approved travel

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Snider,
Brunner, C. H.,	Hamilton,	Mills,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Haudenshield,	Mooney,	Sorg,
Cadwalader,	Heatherington,	Moore, C. E.,	Stank,
Chudoff,	Helm,	Moore, W. J.,	Stonier,
Cohen,	Hennihan,	Moran,	Stuart,
Coleman,	Hering,	Moser,	Swope,
Cook,	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Costa,	Hoffman,	Murray, P. G.,	Tittle,
Coulson,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Cullen,	Hunter,	Nelson,	Turbett,
Dague,	Huntley,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kirley,	O'Dare,	Verona,
Depuy,	Kline,	O'Donnell,	Wachhaus,
Dillon,	Komorofski,	O'Neill,	Waterhouse,
Dix,	Krise,	Owens,	Watkins,
Dougherty,	Kurtz,	Pettigrew,	Weiss,
Duffy,	Lane,	Pickens,	Welsh,
Dye,	Laughner,	Polaski,	Wescott,
Elder,	Lee,	Polen,	White,
Elish,	Leisey,	Powers,	Wood, L. H.,
Erb,	Leonard,	Propert,	Wood, N.,
Ewing,	Levy,	Readinger,	Worley,
Finnerty,	Lichtenwalter,	Reagan,	Wright,
Flack,	Loftus,	Reese, D. P.,	Yeakel,
Fleming,	Longo,	Reese, R. E.,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,
Freed,	Lovett,	Reilly,	Speaker.
Frost,			

NAYS—0

NOT VOTING—18

Bentley,	Herman,	Madden,	Regan,
Boles,	Hoggard,	Milliken,	Skale,
Chervenak,	James,	Pentrack,	Trout,
Corrigan,	Kennedy,	Petrosky,	Wagner,
Fox,	Kolankiewicz,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 438, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania

And said bill having been read at length the second time and ageed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three. (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

And said bill having been read at length the second time and ageed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 695, entitled:

An Act to amend section twelve hundred nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act con-

cerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times and the salvaging thereof

And said bill having been read at length the second time and ageed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further regulating judicial review

And said bill having been read at length the second time and ageed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 355, entitled:

An Act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties

And said bill having been read at length the second time and ageed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 538, entitled:

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files

RECONSIDERATION OF VOTE

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh, Mr. Lichtenwalter, vote on the final passage of this bill?

Mr. LICHTENWALTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Levy, vote on the third reading of this bill?

Mr. LEVY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 8, page 2, line 22 by striking out after the word "election" the words "except the county board"

Amend Section 8, page 2, line 23 by striking out at the beginning of the line the words "of any city of the first class"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved

the third day of June one thousand nine hundred thirty-seven (P. L. 133) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

RECONSIDERATION OF VOTE

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh, Mr. Lichtenwalter, vote on the third reading of this bill?

Mr. LICHTENWALTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Levy, vote on the third reading of this bill?

Mr. LEVY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 9, page 2, line 15 by striking out after the word "election" the words "except the"

Amend Section 9, page 2, line 16 by striking out at the beginning of the line the words "county board in any city of the first class"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 684, as follows:

An Act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by and hereby it is authorized and empowered by action of its board of directors to make contributions out of its income in any taxable year to or for the use of

(a) the United States any State Territory or any political subdivision thereof or the District of Columbia or any possession of the United States for exclusively public purposes or

(b) a corporation trust or community chest fund or foundation created or organized in the United States or in any possession thereof or under the laws of the United States or of any State or Territory or of the District of Columbia or of any possession of the United States organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children (but in the case of contributions to a trust chest fund or foundation payment of which is made within the taxable year of such corporation beginning after the date of the cessation of hostilities in the present war as proclaimed by the President of the United States only if such contributions are to be used within the United States or any of its possessions exclusively for such purposes) no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation to the extent in the aggregate authorized approved or ratified by the by-laws of the corporation or by resolution of its shareholders

All contributions made heretofore or at any time prior to the next annual meeting of the shareholders held after the passage of this act by authority of the board of directors of the corporation for the purposes prescribed by this act are hereby ratified and confirmed

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Snider,
Brunner, C. H.,	Hamilton,	Mills,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Haudenshield,	Mooney,	Sorg,
Cadwalader,	Heatherington,	Moore, C. E.,	Stank,
Chudoff,	Helm,	Moore, W. J.,	Stonier,
Cohen,	Hennihan,	Moran,	Stuart,
Coleman,	Hering,	Moser,	Swope,
Cook	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Costa,	Hoffman,	Murray, P. G.,	Tittle,
Coulson,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Cullen,	Hunter,	Nelson,	Turbett,
Dague,	Huntley,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Waterhouse,
Dix,	Komorofski,	Owens,	Watkins,
Dougherty,	Krise,	Pettigrew,	Weiss,
Duffy,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,

Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley
Finnerty,	Levy,	Reagan,	Wright,
Flack	Lichtenwalter,	Reese, D P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.
Frost,	Lovett,		

NAYS—0

NOT VOTING—17

Bentley,	Herman,	Madden,	Regan,
Boles,	Hoggard,	Milliken,	Skale,
Chervenak,	James,	Pentrack,	Trout,
Corrigan,	Kolankiewicz,	Petrosky,	Wagner,
Fox,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 483, as follows:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * *

55 Parking Lots To acquire by lease purchase or condemnation proceedings any land which in the judgment of city council may be necessary and desirable for the purpose of establishing and maintaining lots for the parking of motor vehicles and for no other use or purpose and to regulate the use thereof

Section 2 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Benizel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Mills,	Snyder,
Burns,	Haudenshield,	Modell,	Sollenberger,
Cadwalader,	Heatherington,	Mooney,	Sorg,
Chudoff,	Helm	Moore, C. E.,	Stank,
Cohen,	Hennihan,	Moore, W. J.,	Stonier,
Coleman,	Hering,	Moran,	Stuart,
Cook	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Costa,	Hoffman,	Murray, M. L.,	Tate,
Coulson,	Hoopes,	Murray, P. G.,	Tittle,
Coyle,	Howells,	Myhan,	Trachtman,
Cullen,	Hunter,	Nagel,	Trent,
Dague,	Huntley,	Nelson,	Turbett,
Dalrymple,	Jones,	O'Brien,	Turner,
Dennison,	Kennedy,	O'Connor,	Varallo,
Depuy,	Kirley,	O'Dare,	Verona,
Dillon,	Kline,	O'Donnell,	Wachhaus,
Dix,	Komorofski,	O'Neill,	Waterhouse,
Dougherty,	Krise,	Owens,	Watkins,
Duffy,	Kurtz,	Pettigrew,	Weiss,
Dye,	Lane,	Pickens,	Welsh,
Elder,	Laughner,	Polaski,	Wescott,
Elish,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Erb,	Leonard,	Propert,	Wood, N.,
Finnerty,	Levy,	Readinger,	Worley,
Flack,	Lichtenwalter,	Reagan,	Wright,
Fleming,	Loftus,	Reese, D P.,	Yeakel,
Foor,	Longo,	Reese, R E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,			Speaker.

NAYS—0

NOT VOTING—17

Bentley,	Herman,	Madden,	Regan,
Boles,	Hoggard,	Milliken,	Skale,
Chervenak,	James	Pentrack,	Trout,
Corrigan,	Kolankiewicz,	Petrosky,	Wagner,
Fox			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 523, Printer's No. 581,

was passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. CHARLES H. BRUNNER, Jr. asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

Mr. JAMES asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 446, as follows:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by section one of the act approved the twenty-eighth day of April one thousand nine hundred forty-one (P. L. 27) is hereby further amended to read as follows

Section 1902 Regulations Concerning Contracts All work and materials required by any city of the third class or any department thereof where the amount exceeds the sum of five hundred dollars shall be furnished and performed under written contract and the contract shall be awarded and given to the lowest responsible bidder after advertising three times each publication on a different day in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall be opened until at least ten days have elapsed after the first advertisement Provided That the requirements of this section as to advertising and contracts and bidding and to the sum of five hundred dollars shall not apply (1) to contracts for any public utility service where the service is available only from one public utility and is to be provided by such utility under tariffs on file with the Pennsylvania Public Utility Commission or to (2) repairs of highways sewers and other public improvements or to (3) resurfacing or maintaining of highways or to (4) street and sewer cleaning or to (5) the collection of rubbish ashes and garbage or improvements repairs or maintenance of any kind made done and provided by the officers and employes of the city or to (6) any agreement with the Commonwealth whereby the city agrees to pay a portion of the cost of any improvement made under contract let by the Commonwealth or any department thereof (7) or where the State or county is a party or cooperates through its employes or the loan of its equipment with the city to a street repair maintenance or improvement or to (8) those made for any surety company bond or policy of insurance or to (9) those made for maintenance repairs or replacements for water electric light and other public works of the city provided they do not constitute new additions or enlargements of existing facilities and equipment or to (10) those where particular types models or pieces of equipment articles aparatus appliances vehicles or parts thereof new second-hand or rebuilt other than construction materials used in road improvement are required which are patented and manufacctured products and in case of purchase under this provision specifications shall not be required to be prepared nor a bond exacted And further provided That where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done such work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder

The council shall by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property

The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 37, Printer's No. 77

Senate Bill No. 413, Printer's No. 301

Senate Bill No. 625, Printer's No. 298
Senate Bill No. 675, Printer's No. 375
Senate Bill No. 319, Printer's No. 192
Senate Bill No. 320, Printer's No. 193
Senate Bill No. 321, Printer's No. 194
Senate Bill No. 322, Printer's No. 195
Senate Bill No. 323, Printer's No. 196
Senate Bill No. 106, Printer's No. 479
Senate Bill No. 717, Printer's No. 513
Senate Bill No. 757, Printer's No. 457 and
Senate Bill No. 502, Printer's No. 294

were passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BORSE asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1140 as follows:

An Act regulating horse racing with wagering on the results thereof providing for the licensing of race tracks race horse owners riders trainers stewards and officials for such racing imposing license fees creating a departmental administrative commission within the Department of Agriculture for the administration of this Act requiring the revenues accruing under this act to be deposited in a special fund in the State Treasury and appropriating the moneys in such funds imposing penalties and repealing inconsistent legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Title and Preliminary Provisions

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Racing Law"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" A partnership limited partnership or any form of unincorporated enterprise owned or operated by two or more persons

"Commission" The Pennsylvania Racing Commission

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to an "association" shall mean the partners or members thereof and as applied to a "corporation" shall mean the officers thereof

Section 3 Interpretation of Act (a) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutonal provisions not be included herein

(b) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence

Article II

Pennsylvania Racing Commission

Section 201 Commission Created A departmental administrative commission within the Department of Agriculture to be known as the "Pensylvania Racing Commission" is hereby created The commission shall consist of three members to be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate Of the original members one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter all appointments shall be for terms of six years or until successors are appointed and qualified Each member of the commission shall receive an annual salary of five thousand dollars ($5,000) and the chairman shall receive five hundred dollars ($500) in addition to the regular salary

Section 202 Qualifications of Commissioners Each member of the commission at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of at least two years next preceding his appointment and shall be not less than thirty years of age No member of the commission during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

Section 203 Chairman Quorum The commission shall elect one of its members as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside Two members of the commission shall constitute a quorum and any action or order of the commission shall require the approval of at least two members

Section 204 Secretary The commission may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the commission shall prescribe and shall receive such compensation as the commission with the approval of the Governor shall determine The secretary shall have the power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the commission

Section 205 Fidelity Bonds Each member of the commission and the secretary shall file with the State Treasurer a surety bond in the sum of not less than ten thousand dollars ($10,000) and every person appointed to any office by the commission shall upon entering upon his duties likewise file a surety bond in the sum of not less than two thousand dollars ($2,000) Such bonds shall be payable to the Commonwealth of Pennsylvania shall have as surety a duly authorized surety company or two individuals to be approved by the Department of Justice and shall be conditioned for the faithful performance of the members' secretary's or employes' duties imposed by law or by lawful authority and that the person bonded will not knowingly violate or permit to be violated the provisions of this act The cost of such bond shall be borne by the commission as part of its operating expense

Section 206 Commission Subject to Administrative Code Except as otherwise expressly provided by law the commission shall be within the Department of Agriculture and shall be subject to all the provisions of the Administrative Code of 1929 as amended which apply generally to departmental administrative boards and commissions

Article III

General Powers and Duties of the Commission

Section 301 Regulations of Horse Racing with Wagering The commission shall have the power and its duty shall be to supervise and regulate every person who shall hereafter hold or conduct any meeting within this Common-

wealth at which horse racing with wagering on the results thereof shall be permitted and to supervise and regulate every such race meeting and each and everything having to do with the operation thereof This power shall include the power to approve or disapprove the dates on which race meetings shall be held on race tracks licensed under the provisions of this act

Section 302 Rules and Regulations The commission shall have power to prescribe rules regulations and conditions under which all horse races upon the results of which there shall be wagering shall be conducted within this Commonwealth It shall make rules governing permitting and regulating mutual wagering on horse races under the system known as the pari-mutuel or mutual method of wagering which shall be conducted only within the enclosure of a licensed track and on a date upon which racing as such track has been approved by the commission

Section 303 Enforcement of this Act The commission shall in every respect be responsible for the administration and enforcement of this act

Section 304 Races between Pennsylvania Bred Horses Steeplechases To encourage the breeding of horses in this Commonwealth the commission shall require that three per centum (3%) of the first money of every purse won by a horse bred in Pennsylvania shall be paid to the breeder of such animal and that unless on any day sufficient competition cannot be had every licensed track shall run at least one race each racing day which shall be limited to horses foaled in Pennsylvania and at least one steeplechase each racing day

Article IV

Licenses and License Fees

Section 401 Track Licenses (a) The commission shall have the power to grant licenses to conduct horse race meetings in accordance with the provisions of this act at such places within this Commonwealth as the commission shall determine in accordance with the provisions of this section No such license shall be transferable nor shall apply to any place track or enclosure except that specified in the license Licenses hereunder shall be classified according to the track where the race meeting is to be held

(b) Class A tracks of which there shall be not more than three approved by the commission and shall be not less than a mile in circumference or length The commission shall not issue any Class A license to conduct a horse race meeting at any place within one hundred miles of any other place for which a Class A license has previously been issued except that a temporary license to be known as a "Fair or Hunt Club License" may be issued for a period not exceeding one week in any county during any one year permitting the licensee to conduct a horse race meeting under the provisions of this act at any regular county fair or hunt club within this Commonwealth

(c) Class A licenses shall be valid for a period of ten (10) years unless sooner revoked by the commission for cause as hereinafter provided in this article

(d) Every application for a Class A license shall be accompanied by a certified check in the amount of twenty-five thousand dollars ($25,000) drawn to the order of the State Treasury which shall be transmitted by the commission to the Department of Revenue to be deposited in the State Treasury immediately if and when a license is granted to the applicant

In the event that an application is refused the certified check accompanying the application shall be returned to the applicant

(e) Applications for " Fair or Hunt Club Licenses" shall be made as for Class A tracks except that no deposit fee is required

(f) In determining whether a license shall be granted to any applicant the commission shall take into consideration the applicant's financial responsibility the character and reputation of the applicant or its members or officers the desirability of the location specified in the application the proximity of such location to railroads highways and other transportation facilities and except in the case of an application for a Fair or Hunt Club License the question whether it is desirable to locate a racing park in the municipality or other political subdivision specified in the application

(g) The amount deposited in the State Treasury under the provisions of this section shall be held by the State Treasurer as a guaranty by the licensee that daily license fees will be paid as hereinafter in this article provided They shall be returned to the licensee at the expiration of his license if all daily license fees have been paid If all all daily license fees have not been paid any amounts due by the licensee shall be deducted from the deposit and only the balance if any shall be returned to the licensee

(h) At the municipal election in the year one thousand nine hundred forty-five or any municipal election subsequent thereto there shall be submitted in the manner provided by the election laws of the Commonwealth a question to determine the will of the electorate of the county in which the proposed class A track is to be located in respect to the said race track within their county Such question shall be in the following form

Do you favor the location of a Class A Race Track in this county	Yes No	

The said question shall be printed on separate official ballots in bound form by the county commissioners of each such county where it is proposed a class A race track shall be located and a sufficient number of ballots shall be furnished to the election officers in each election district of any such county so that one ballot may be supplied to each voter at such election In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes

Section 402 Daily License Fees Every person licensed under the provisions of this act to conduct a horse race meeting either under a Class A license or a Fair or Hunt Club License shall pay to the commission each day for transmission by it to the Department of Revenue to be paid into the State Treasury a license fee amounting to four per centum (4%) of all money handled in the pari-mutuel or mutual pools at the licensee's enclosure or track during the day

Section 403 Owners' Riders' Trainers' et cetera Licenses Every horse owner rider trainer steward starter timer judge and other official at any racing meeting at which horse racing with wagering on the results thereof shall be permitted shall be licensed by the commission pursuant to the rules and regulations adopted by the commission and upon the payment of such license fees as shall from year to year be determined by the commission The amount of each fee shall be the estimated cost of supervising and regulating the particular activity covered by the license divided by the estimated number of such licenses which shall be issued for the ensuing year A schedule of the license fees for the following year shall be promulgated by the commission not later than December fifteenth of each year All licenses granted under this section shall be valid for a period of one year at any race meeting held during such year unless the license shall sooner be revoked by the commission for improper conduct on the part of the licensee

Section 404 Revocation of Licenses The commission shall have the power and its duty shall be to revoke any track license issued under the provisions of this article if the holder thereof has knowingly violated or permitted the violation of the provisions of this act The commission shall have the power to revoke any other license issued under the provisions of this article if the holder thereof has knowingly violated or permitted the violation of the provisions of this act or has been guilty of unsportsmanlike conduct The revocation of a license because of a

charged violation of the provisions of this act shall be subject to review by certiorari to the court of common pleas of Dauphin County The commission's action in revoking a license for unsportsmanlike conduct shall be final

Article V

Wagering on Horse Races

Section 501 Lawful and Unlawful Wagering It shall be unlafwul to wager on the results of any horse race conducted within this Commonwealth unless the race is conducted by a licensee under this act and it shall be unlawful to permit any wagering at any licensed enclosure or track except under the pari-mutuel or mutual method of wagering and then only by the installation of such mechanical equipment as may be approved by the commission but the commission shall not require any particular make of mechanical equipment and may upon application and under proper regulations excuse any holder of a Fair or Hunt Club License from installing any mechanical equipment

Section 502 Licensees to Provide Facilities for Mutual Wagering Licensees' Commission Every licensee conducting a horse race meeting shall provide a place or places in the enclosure or grounds at which the licensee may conduct operate and supervise the pari-mutuel or mutual method of wagering on races conducted within its enclosure The commissions deducted and retained by any licensee from pari-mutuel or mutual pools shall not exceed six per centum (6%) of the gross amount of money handled

Article VI

Unlawful Act Penalties

Section 601 Conducting Races Without Licenses It shall be unlawful for any person to hold or conduct or assist aid or abet in holding or conducting any meeting within this Commonwealth at which horse racing with wagering on the results thereof shall be permitted unless such person shall comply with the provisions of this act and be licensed to conduct a horse race meeting as hereinbefore in this act provided Any person violating this section shall upon conviction be punished by the imposition of a fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000) or by imprisonment for not more than one (1) year or both in the discretion of the court

Section 602 Wagering It shall be unlawful for any person to wager or bet on the result of a horse race otherwise than in accordance with the provisions of this act or at any place within this Commonwealth outside of the enclosure licensed by the commission under the provisions of this act for conducting horse race meetings on dates when racing within such enclosure has been approved by the commission Any person violating the provisions of this section shall upon conviction in a summary proceeding before a magistrate alderman or justice of the peace be punished by the imposition of a fine in the amount of twenty-five dollars ($25) and in default of the payment thereof imprisonment for ten (10) days

Section 603 Taking Unlawful Wagers It shall be unlawful for any person to take a wager on the result of a horse race otherwise than in accordance with the provisions of this act or at any place within this Commonwealth outside of the enclosures licensed by the commission under the provisions of this act for conducting horse race meetings on dates when racing within such enclosures has been approved by the commission Any person violating the provisions of this section shall upon conviction be punished by the imposition of a fine of not more than one thousand dollars ($1,000) or by imprisonment of not more than one (1) year or both in the discretion of the court

Section 604 Time of Racing It shall be unlawful to conduct any horse race under the provisions of this act except on weekdays between March thirty-first and December first of each year The commission shall not approve racing at any licensed track contrary to the provisions of this section

Article VII

Disposition and Appropriation of Moneys Accruing Under the Provisions of This Act

Section 701 Racing Fund Created All moneys paid into the State Treasury through the Department of Revenue under the provisions of this act shall be paid into a special fund to be known as the "State Racing Fund"

Section 702 Appropriation The moneys from time to time in the State Racing Fund are hereby appropriated for the following purposes

(a) To pay the salaries and expenses of the members of the commission the secretary and all employes and assistants employed by or for them in accordance with the provisions of The Administrative Code of one thousand nine hundred twenty-nine as amended

(b) To pay all other expenses properly incurred by the commission in administering this act

(c) To refund to licensees at the expiration of their licenses all sums deposited by them when the licenses were granted if the daily license fees have been paid by such licensees in accordance with the provisions of this act and otherwise to refund to such licensees the balances remaining after deducting from such deposits any daily license fees due and unpaid by such licensees during the periods of their licenses

(d) For payment to the Department of Public Instruction to be used for public school purposes

(e) For the payment to the county in which the track is located the odd cents over any multiple of five cents calculated on the basis of one doller otherwise payable to the county

Article VIII

Repealer and Effective Date

Section 801 Repealer All acts and parts of acts heretofore enacted which are inconsistent with the provisions of this are hereby repealed

Section 802 Effective Date This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROOT. Mr. Speaker, in view of the absence of quite a few of the jockeys that want to ride this horse, I ask that the bill be temporarily passed over.

The SPEAKER. Will the House give its unanimous consent? The Chair hears objections, and consent is not granted.

Mr. ROOT. Mr. Speaker, a number of the sponsors of this bill are not on the floor, they are at Committee meetings. A number of the men who are interested in this bill have asked for an opportunity to be recorded on it, and I do not think it is fair to force this bill to a roll call at this time.

The SPEAKER. There is still one committee meeting. The Chair will delay until that Committee returns.

Mr. ELDER. Mr. Speaker, the gentleman from Philadelphia, Mr. Root, asked that this bill go over in order. I second that request.

The SPEAKER. The request requires no second. Unanimous consent is required and objection has been raised.

PARLIAMENTARY INQUIRY

Mr. ROOT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Phidadelphia will state it.

Mr. ROOT. Mr. Speaker, is a motion to place this bill on the final passage postponed calendar in order?

The SPEAKER. Such a motion is in order.

MOTION TO POSTPONE

Mr. ROOT. I move that House Bill 1140 be placed on the final passage postponed calendar.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. ROOT. Mr. Speaker, I wanted to save the Members of this House a great deal of the agony that they will suffer as they listen to the horse racing debate. However, they insisted on it and they can have it.

There are fifty-seven various reasons for the favorable consideration of House Bill 1140. I will not burden you with all of them, but as briefly as possible, and with your indulgence, may I call your attention to some of the reasons for an "aye" vote on this bill.

Twenty-five states have legalized horse racing, New York, Illinois, Massachusetts, Michigan, California, Delaware, Kentucky, Rhode Island, are only a few of the states that have legalized it. Horse racing has become a national industry and has reached a billion dollars in total wagering in 1944.

In the State of New York for 1944 four hundred ten million dollars were collected. In the State of Illinois, one hundred fifty million dollars, in the State of Maryland, ninty-one million dollars. House Bill 1140 has the usual local option feature, and Members of the House, if your county does not desire to have a race track they do not have to have it under this bill. I submit to you that it is not right that a minority of the people should try to enforce its views upon the majority of the people in the large centers of the population of this state.

Do you know that at a poll conducted on September 1, 1944, by the Evening Bulletin they had the following results:

Approximately fifty-three per cent of the adult residents of the city who were interviewed expressed a favorable view on horse racing, but the surprise turned up in tabulating the opinion of church members and nonchurch members. Both groups favored legalized betting, and the nonchurch vote was only slightly higher than that of those with religious affiliations. Fifty-two per cent belonging to a church favored a change.

The states that have legalized horse racing have been cutting a very pretty melon in revenue, and have been lessening the tax burdens of their citizens, while Pennsylvanians unable to enjoy horse racing within their own state have been carting their money to the tracks outside Pennsylvania.

When House Bill 568 was recently considered we received a message from His Excellency the Governor in which he stated that there is going to be an urgent need for additional revenue to finance teachers' salaries. This bill will give the state approximately twenty to twenty-five million dollars of additional revenue, and that alone, Mr. Speaker, is sufficient reason for a favorable vote on this bill.

Pennsylvania breeds horses; Pennsylvania horses won the honors at the Kentucky Derby and other race tracks. By your vote tonight will you allow these horses to run on the soil on which they are born and bred? Vote for this bill and encourage open honest sportsmanship. Do not try to legislate against human impulse. We tried it with prohibition, and you know the result, all the tap rooms, all the young men and women that are drinking today are a byproduct of an attempt to legislate morals. Thousands of bets are made illegally every day everywhere; yes, even around the country stores or whereever men congregate. It is human to take a chance. Do not make law violators of them; make them honest by giving them an opportunity to do it openly. Reform by the reform minded citizens of our population certainly does not convert racing fans to abstain from participating in racing.

Those who come from the western part of the state may be interested to know that there were last year seventy thousand paid admissions one day at Hemp Field and a parking lot of forty acres was filled with parked cars from Pennsylvania. At Camden seventy-five per cent of the receipts from that track comes from Pennsylvania. Pennsylvania has notable horse farms. The names of Riddle, Jeffords and Widener are known to all Pennsylvanians.

This state has all the natural resources to supply and support the breeding and raising of horses. Let us construct and operate racing centers by citizens and officials of known reputation and integrity to insure the maintenance of this sport upon the highest level. Do not let fear and hypocricy stand in the way of this honest sport, the sport of kings as well as the sport of commoners within the boundaries of our own state.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Costa, Dalrymple and Skale asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—98

Andrews,	Gore,	Modell,	Root,
Baker,	Grant,	Mooney,	Rose,
Barrett,	Green,	Moore, W. J.,	Salus,
Boney,	Haberlen,	Moran,	Scanlon,
Boorse,	Heatherington,	Munley,	Schuster,
Boory,	Hennihan,	Murray, M. L.,	Shaffer,
Brancato,	Hersch,	Murray, P. G.,	Skale,
Brice,	Jones,	Myhan,	Smith,
Brothers,	Kirley,	O'Brien,	Snider,
Brown,	Kline,	O'Connor,	Stank,
Brunner, C. H.,	Kolankiewicz,	O'Dare,	Stonier,
Brunner, P. A.,	Komorofski,	O'Donnell,	Tahl,
Burns,	Lee,	O'Neill,	Tate,
Chudoff,	Leonard,	Owens,	Trachtman,
Corrigan,	Levy,	Petrosky,	Trent,
Costa,	Loftus,	Pettigrew,	Turner,
Coyle,	Lopez,	Polaski,	Varallo,
Cullen,	Lovett,	Powers,	Verona,
Dalrymple,	Matthews,	Propert,	Wachhaus,
Dillon,	McAtee,	Regan,	Weiss,
Dougherty,	McCormack,	Reidenbach,	Welsh,
Duffy,	McNally,	Reynolds,	White,
Elder,	Mihm,	Riley,	Wood, L. H.,
Finnerty,	Mikula,	Robertson,	Yester,
Gallagher,	Mills,		

NAYS—87

Barton,	Fullerton,	Krise,	Reagan,
Bentzel,	Gardner,	Kurtz,	Reese, D. P.,
Bonawitz,	Getchey,	Laughner,	Reilly,
Bower,	Gibson,	Leisey,	Royer,

Cadwalader,	Goodling,	Lichtenwalter,	Rudisill,
Cohen,	Greenwood,	Longo,	Serrill,
Coleman,	Greer,	Lyons,	Shoemaker,
Cook,	Guthrie,	Madden,	Sloan,
Cooper,	Gyger,	Madigan,	Sorg,
Coulson,	Hall,	Mahany,	Stuart,
Dague,	Hamilton,	McClester,	Swope,
Dennison,	Hare,	McDowell,	Tittle,
Depuy,	Haudenshield,	McKinney,	Turbett,
Dix,	Helm,	McLanahan,	Wagner,
Dye,	Hering,	McMillen,	Watkins,
Elish,	Hewitt,	McNair,	Wescott,
Erb,	Hoffman,	Miller,	Wood, N.,
Ewing,	Hoopes,	Moore, C. E.,	Worley,
Flack,	Howells,	Nagel,	Wright,
Fleming,	Hunter,	Nelson,	Yeakel,
Foor,	Huntley,	Pickens,	Fiss,
Frost,	James,	Polen,	Speaker.

NOT VOTING—21

Baumunk,	Freed,	Lane,	Reese, R. E.,
Bentley,	Gaffney,	Milliken,	Snyder,
Boles,	Herman,	Moser,	Sollenberger,
Breisch,	Hoggard,	Pentrack,	Trout,
Chervenak,	Kennedy,	Readinger,	Waterhouse,
Fox,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PARLIAMENTARY INQUIRY

Mr. SALUS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. SALUS. Mr. Speaker, I want to know if the Speaker can tell me if a horse should come in second how much it will pay.

The SPEAKER. The Chair is unable to answer.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered an dentitled as follows:

SENATE BILL No. 88.

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes

Referred to the Committee on Appropriations.

SENATE BILL No. 548.

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties.

Referred to the Committee on Banking.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KRISE asked and obtained permission for the Committee on Banking to meet during the session of the House.

Mr. NORMAN WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 3, 1945.

Resolved (if the Senate concurs), that House Bill No. 289, Printer's No. 198, entitled "An act to further amend section four the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled 'An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tution by certain school districts and reimbursement thereof by the State' by adding clause (d) providing for future veterans and rehabilitation programs in public schools," be recalled from the Governor for the purpose of amendment.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 577, as follows:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation of big game requiring report of such killing and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred eight of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 708 Tagging Removing Transporting and Reporting Big Game Each person killing a big game animal found in a wild state shall [within four hours] immediately after removing the entrails but in any event within one hour and before transporting or removing the carcass in any manner from where it was killed attach thereto the big game tag supplied with his hunting license both parts of which shall be properly completed The portion supplied with his hunting license for reporting such killing shall be mailed to the commission at Harrisburg within five days following the close of the season for the animal killed

If such animal has been lawfully killed by a person not required to secure a license or by a person who has previously killed another legal big game animal or by a person who has lost the tag supplied with his license such person shall make and attach a tag within [four hours] the time specified after such killing bearing in plain English his name address and if holding a license

the license number [and county number if the license bears such number] with the [location] date township if known and county where such game was killed On a similar tag or on a post card such person shall within five days following the close of the season for the animal killed mail to the commission at Harrisburg a statement setting forth the information above including the kind of animal whether male or female the dressed weight actual or estimated and if a male deer the total number of points on both antlers

Every failure to have said tag attached or removing or transporting such animal in any manner or failure to mail the report as herein provided shall subject the person so neglecting to the penalties provided in this article and if the person responsible for such neglect to tag any such game cannot be located each member of the camp or party shall be individually liable to such penalty

Any game found in the possession of any person and not tagged as herein provided shall be forfeited to the Commonwealth to be disposed of as hereinafter provided and may be seized by any officer whose duty it is to enforce the game laws

Section 2 Clause (f) of section seven hundred thirty-one of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 810) is hereby further amended to read as follows

(f) For failure to tag or mark [a deer or elk or bear within four hours after killing] any big game animal as required by the provisions of this article [twenty-five dollars] ten dollars for failing to tag and for removing or transporting in any manner any big game animal which has not been tagged as required by the provisions of this article twenty-five dollars for failure to report the killing of a big game animal as required by the provisions of this article two dollars

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Rover,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus
Boorse,	Grant,	McMillen	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm	Skale
Brothers,	Haberlen,	Mikula,	Sloan,
Brown	Hall,	Miller,	Smith,
Brunner C H.,	Hamilton,	Mills,	Snider,
Brunner P A.,	Hare,	Modell,	Snyder,
Burns	Haudenshield,	Mooney	Sollenberger,
Cadwalader,	Heatherington,	Moore, C E.,	Sorg,
Chudoff,	Helm,	Moore, W J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M L.,	Tahl,
Costa,	Hoffman,	Murray, P G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Ellish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese D P.,	Wright,
Fleming,	Loftus,	Reese R E.,	Yeakel,
Foor	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 385, as follows:

An Act to amend paragraph two of subdivision (b) and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds asosciations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph two of subdivision (b) of section two hundred of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insuranace amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 202 Purposes for Which Companies May Be Incorporated Underwriting Powers * * * *

(b) * * * * *

(2) Upon vessels boats cargoes goods personal property merchandise freight and other property against loss or damage by all or any of the risks of lake river canal and inland navigation and transportation including all personal property floater risks upon automobiles airplanes sea-

planes dirigibles or other aircraft whether stationary or in operation or in transit against loss or damage by fire explosion transportation collision or by burglary larceny or theft not including in any case insurances against loss by reason of bodily injury to the person and to effect reinsurance of any risk provided for in this clause

Section 2 subdivision (c) of section two hundred two of said act is hereby amended by adding thereto paragraph thirteen to read as follows

Section 202 Purposes for Which Companies May Be Incorporated Underwriting Powers * * * * *

(c) * * * * *

(13) To insure by means of an all-risk type of policy commonly known as "The Personal Property Floater Policy" against all risks of loss of or damage to personal property owned by any individual other than merchandise motor vehicles aircraft water-craft (excepting canoes rowboats sailboats less than twenty-one feet in length and outboard motor boats) or personal property pertaining to the business trade, or profession of the insured (excepting professional books instruments and other professional equipment owned by the insured)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Frost,	Lovett,	Reynolds,
Baker,	Fullerton,	Lyons,	Riley,
Barrett,	Gaffney,	Madigan,	Robertson,
Barton,	Gallagher,	Mahany,	Root,
Baumunk,	Gardner,	Matthews,	Rose,
Bentzel,	Getchey,	McAtee,	Royer,
Bonawitz,	Gibson,	McClester,	Rudisill,
Boney,	Goodling,	McCormack,	Salus,
Boorse,	Gore,	McDowell,	Scanlon,
Boory,	Grant,	McKinney,	Schuster,
Bower,	Green,	McLanahan,	Serrill,
Brancato,	Greenwood,	McMillen,	Shaffer,
Breisch,	Greer,	McNair,	Shoemaker,
Brice,	Guthrie,	McNally,	Skale,
Brothers,	Gyger,	Mihm,	Sloan,
Brown,	Haberlen,	Mikula,	Smith,
Brunner, C. H.,	Hall,	Miller,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chudoff,	Heatherington,	Moore, C. E.,	Stank,
Cohen,	Helm,	Moore, W. J.,	Stonier,
Coleman,	Hennihan,	Moran,	Stuart,
Cook,	Hering,	Moser,	Swope,
Cooper,	Hersch,	Munley,	Tahl,
Costa,	Hewitt,	Murray, M. L.,	Tate,
Coulson,	Hoffman,	Murray, P. G.,	Tittle,
Cullen,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Cullen,	Hunter,	Nelson,	Turbett,
Dague,	Huntley,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Waterhouse,
Dix,	Komorofski,	Owens,	Watkins,
Dougherty,	Krise,	Pettigrew,	Weiss,
Duffy,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 616, as follows:

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2004 Hours of Service Exceptions No city shall employ or require any police officer to remain on duty for more than eight hours in any twenty-four consecutive hours or more than fifty-six hours in any one week unless in emergency cases for the suppression of riots or tumults or the preservation of the public peace Provided That for the duration of the present war and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service in excess of such maximum hours of service at the same rate as paid for regular service Nothing contained herein shall prevent any such city from requiring any such police officer to remain on duty or to work sixteen hours in any twenty-four consecutive hours not more than one day each week if required by a change in working hours or a change in shifts

Section 2 Section two thousand one hundred three of said act as last amended by the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 103) is hereby further amended to read as follows

Section 2103 Platoon System Hours of Service The director of the department having charge of the fire bureau in each city shall divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs and those employed subject to call into two bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon and the hours of day service shall not exceed sixty hours in any one calendar week and the hours of night service shall not exceed eighty-four hours in any one calendar week unless the hours of day and night service shall be equalized in which case neither the hours of day or night

service shall exceed seventy-two in any one calendar week Provided That for the duration of the present war and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service at the same rate as paid for regular service in excess of such maximum hours of service The employes of such fire forces shall be allowed to have at least twenty-four consecutive hours of rest in every calendar week and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution In cases of riot serious conflagration times of war public celebrations or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shifts bodies or platoons of fourteen hours in the night shifts bodies or platoons excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of emergency as above provided

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Riley,
Baker,	Gaffney,	Madigan,	Robertson,
Barrett,	Gallagher,	Mahany,	Root,
Barton,	Gardner,	Matthews,	Rose,
Baumunk,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Bonawitz,	Goodling,	McCormack,	Salus,
Boney,	Gore,	McDowell,	Scanlon,
Boorse,	Grant,	McKinney,	Schuster,
Boory,	Green,	McLanahan,	Serrill,
Bower,	Greenwood,	McMillen,	Shaffer,
Brancato,	Greer,	McNair,	Shoemaker,
Breisch,	Guthrie,	McNally,	Skale,
Brice,	Gyger,	Mihm	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Snider,
Brunner, C. H.,	Hamilton,	Mills,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Haudenshield,	Mooney,	Sorg,
Cadwalader,	Heatherington,	Moore, C. E.,	Stank,
Chudoff,	Helm,	Moore, W. J.,	Stonier,
Cohen,	Hennihan,	Moran,	Stuart,
Coleman,	Hering,	Moser,	Swope,
Cook,	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Costa,	Hoffman,	Murray, P. G.,	Tittle,
Coulson,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Cullen,	Hunter,	Nelson,	Turbett,
Dague,	Huntley,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Waterhouse,
Dix,	Komorofski,	Owens,	Watkins,
Dougherty,	Krise,	Pettigrew,	Weiss,
Duffy,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.
Frost,	Lovett,	Reynolds,	

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 102, as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas The present session of the General Assembly has provided revenues of the Commonwealth amounting to at least three hundred sixty-nine million dollars ($369,000,000) for general purposes for the biennial fiscal period beginning June first one thousand nine hundred forty-five and

Whereas Such revenues though levied and assessed will not be available in large part for the current and other expenses of the State government until the later parts of the two fiscal years respectively of the said biennial fiscal period and the collectible revenues may not be sufficient to defray the current and other expenses of the State government during the earlier parts of such fiscal years respectively and

Whereas In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it may become necessary temporarily to obtain funds to defray the current and other expenses of the State Government during the fiscal period aforesaid until the revenues that are subsequently accruing to the State Treasury during said fiscal period are available for this purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the two fiscal years beginning the first day of June on thousand nine hundred forty-five from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of one hundred twenty million dollars ($120,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal years

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of Ma

one thousand nine hundred forty-seven Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a facsimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(b) The current revenues of the biennial fiscal period beginning the first day of June one thousand nine hundred forty-five are pledged for the payment of the principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the biennial fiscal period beginning the first day of June one thousand nine hundred forty-five

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred forty-five and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack	Lichtenwalter,	Reese, D P.,	Wright,
Fleming,	Loftus,	Reese, R E.,	Yeakel,
Foor	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 641, as follows:

An Act to amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds

transcripts to the court of common pleas and balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualications and other conditions under which the investment of trust funds may be made by fiduciaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subparagraph (c) of subsection 8 of paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1037) is hereby further amended to read as follows

Subsection (8) Railroad Obligations

* * *

(c) For the purposes of this subsection

(1) The amount of income available for fixed charges shall be the amount obtained by deducting from gross income all items deductible in ascertaining net income other than Federal and State income taxes contingent income interest and those constituting fixed charges and by deducting interest and dividends received by any such corporation on its own obligations and securities and on obligations and securities the interest or dividends on which it is obligated to pay as rental under any lease agreement which such corporation may own Fixed charges shall be rent for leased roads miscellaneous rents funded debt interest which the corporation has unconditionally promised to pay interest on unfunded debt and amortization of discount on funded debt but shall not include interest and dividends paid or accrued by such corporation on its own obligations and securities and on obligations and securities the interest or dividends on which it is obligated to pay as rental under lease agreement and which are owned by such corporation in its own right

(2) Other accounting terms shall be deemed to refer to those used in the accounting reports of common carriers as prescribed by the accounting regulations of the Interstate Commerce Commission

(3) The revenues earnings income and fixed charges of any railroad corporation all or substantially all of the railroad lines of which shall have been acquired through merger consolidation conveyance or lease by another railroad corporation and shall remain in its possession shall be deemed to be revenues earnings income and fixed charges of the latter corporation

Section 2 That after subsection (18) of paragraph one of clause (a) of section forty-one of the said act the following new subsections are hereby added

Subsection (18.1). Obligations of Municipality Authorities Bonds of any municipality authority issued pursuant to the provisions of the laws of this Commonwealth relating to the creation or operation of such municipality authorities

Subsection (18.2) Debenture Bonds of Telephone Companies In addition to the obligations described in Subsection 10 hereof of telephone companies the following debenture bonds of any corporation incorporated under the laws of the United States or any State or Commonwealth thereof or the District of Columbia which transacts the business of supplying telephone service provided such corporation shall be subject to regulation by the Federan Communications Commission a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any State or Commonwealth or of the District of Columbia in which such corporation operates

(a) Debenture bonds of any such corporation subject to the following conditions

(1) Such corporation shall have been in existence for a period of not less than ten fiscal years and at no time within the period of ten fiscal years immediately preceding the date of such investment shall such corporation have failed to pay punctually and regularly the matured principal or interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(2) In at least four out of five fiscal years immediately preceding such investment in the consolidated net earnings of such corporation after all operating expenses depreciation depletion and taxes (other than Federal and State income taxes) shall have been not less than three times the annual interest charges on its obligations containing an unconditional promise to pay interest thereon outstanding at the end of its fiscal year immediately preceding the date of such investment Provided That if there has been a public offering of securities since the close of the last fiscal year then its interest charges for such last fiscal year shall be deemed to be its interest charges for a full year on its debt outstanding immediately after the issue of said securities adjusted for any securities to be retired with the proceeds of the new financing

(3) Such corporation shall have total assets as shown by its consolidated balance sheet at the end of the fiscal year immediately preceding the date of such invesment of not less than fifty million dollars ($50,000,000)

(4) In determining the qualifications of any debenture bond under this subsection where a corporation shall have acquired its property or any substantial part thereof within the ten years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the assets gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain

whether the requirements of the preceding paragraph have been complied with

Subsection (18.3) Obligations of Industrial Corporations The following obligations of any industrial corporation incorporated under the laws of the United States or of any state or Commonwealth thereof or of the District of Columbia

(a) Bonds of any such corporation subject to the following conditions

(1) Such corporation shall have been in existence for a period of not less than ten fiscal years and at no time within the period of ten fiscal years immediately preceding the date of such investment shall such corporation have failed to pay punctually and regularly the matured principal or interest of all it indebtedness direct assumed or guaranteed but the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period

(2) In at least four out of five fiscal years immediately preceding such investment the consolidated net earnings of such corporation after all operating expenses depreciation depletion and taxes (other than Federal and State income taxes) shall have been not less than three times the annual interest charges on its obligations containing an unconditional promise to pay interest thereon outstanding at the end of its fiscal year immediately preceding the date of such investment Provided That if there has been a public offering of securities since the close of the last fiscal year then its interest charges for such last fiscal year shall be deemed to be its interest charges for a full year on its debt outstanding immediately after the issue of said securities adjusted for any securities to be retired with the proceeds of the new financing

(3) Such corporation shall have total assets as shown by its consolidated balance sheet at the end of the fiscal year immediately preceding the date of such investment of not less than fifty million dollars ($50,000,000)

(4) In determining the qualifications of any bond under this subsection where a corporation shall have acquired its property or any substantial part thereof within the ten years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the assets gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the preceding paragraph have been complied with

Subsection (18.4) Preferred Stock The following preferred or preference stocks of any corporation incorporated under the laws of the United States or of any state or commonwealth thereof or of the District of Columbia

(a) Preferred or preference stock of any such corporation subject to the following conditions

(1) Such corporation shall have been in existence for a period of not less than ten fiscal years and at no time within the period of ten fiscal years immediately preceding the date of such investment shall such corporation have failed to pay punctually and regularly the matured principal or interest of all its indebtedness direct assumed or guaranteed but the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period

(2) Such stock shall be preferred as to dividends and the dividends thereon shall be cumulative

(3) In the event of liquidation or dissolution such stock shall be preferred over all other classes of stock in the distribution of the assets of the corporation

(4) In at least four out of five fiscal years immediately preceding such investment the consolidated net earnings of such corporation after all operating expenses depreciation depletion and taxes (including Federal and State income taxes) shall have been not less than three times annual interest charges on its obligations containing an unconditional promise to pay interest thereon outstanding at the end of its fiscal year immediately preceding the date of such investment and the dividend requirements on such preferred stock together with the dividend requirements on any other stock having claims on earnings or assets ranking equally with such stock Provided That if such corporation be a public utility corporation such earnings for such period shall have been at least twice such interest charges and dividend requirements and Provided Further that if there has been a public offering of securities since the close of the last fiscal year then its interest charges and dividend requirements for such last fiscal year shall be deemed to be its interest charges and dividend requirements for a full year immediately after the issue of said securities adjusted for any securities to be retired with the proceeds of the new financing

(5) Such corporation shall have total assets as shown by its consolidated balance sheet at the end of the fiscal year immediately preceding the date of such investment of not less than fifty millions dollars ($50,000,000)

(6) In determining the qualification of any preferred or preference stock under this subsection where a corporation shall have acquired its property or any substantial part thereof within ten years immediately preceding the date of such investment by consolidation merger or the purchase of all or a substantial portion of the property of any other corporation or corporations the assets gross operating revenues net earnings interest charges and preferred dividend requirements of the several predecessors or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this subsection have been complied with

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

Messrs. BROWN and MAHANY asked unanimous consent to offer amendments.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 2 (subsec. 18.1), page 5, lines 19 to 23, both inclusive, by striking out all of said lines.

Amend sec. 2 (subsec. 18.2), page 5, line 24, by striking out the figures "(18.2)" and inserting in lieu thereof "(18.1)"

Amend sec. 2 (subsec. 18.3), page 7, line 27, by striking out the figures "(18.3)" and inserting in lieu thereof "(18.2)".

Amend sec. 2 (subsec. 18.4), page 9, lines 20 to 28, both inclusive, by striking out all of said lines.

Amend sec. 2 (subsec. 18.4), page 10, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend sec. 2 (subsec. 18.4), page 11, lines 1 to 23, both inclusive, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. TURNER. Mr. Speaker——

Mr. BROWN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BROWN. Mr. Speaker, I was going to ask the gentleman from Delaware to yield for just a moment.

The SPEAKER. The gentleman from Allegheny, Mr. Brown, requests the gentleman from Delaware, Mr. Turner, to yield. Does the gentleman wish to correct an error?

Mr. BROWN. Yes, Mr. Speaker, I do. Will the gentleman yield for just a moment?

I merely wanted to make a correction. The amendments are presented on behalf of myself and the gentleman from Crawford, Mr. Mahaney.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, will the gentleman from Allegheny, Mr. Brown, tell the House what these amendments do?

Mr. BROWN. The first amendment, Mr. Speaker, would delete subsection 18.1 on page five, taking out of the bill the right of fiduciaries to invest trust funds in obligations of municipal authorities.

The next set of amendments would take out on page nine, subsection 18.4 the right there given to fiduciaries to invest trust funds in preferred stock of certain corporations as enumerated in the bill.

Mr. TURNER. Is that all that these amendments accomplish?

Mr. BROWN. That is right, Mr. Speaker.

Mr. TURNER. The amendments eliminate two investments which are permitted under the bill?

Mr. BROWN. That is correct, Mr. Speaker.

Mr. TURNER. The first one being bonds of municipal authorities and the second one being permission to invest in preferred stocks?

Mr. BROWN. That is correct, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Allegheny, Mr. Brown. As I said yesterday, I had no objection to the presentation of amendments at this time, but I do object to the adoption of the amendments for two reasons: in the first place, as applied to the bonds of municipal authorities, I think any student of municipal authorities, —and I am sure that if the gentleman from Allegheny, Mr. Brown, had made a study of municipal authorities and their bonds, the way they have been accepted upon the market, the history of the bonds, the kind of securities that they offer, that he would not have offered this amendment. The Joint State Government Commission has made, as you know, a study of municipal authorities as they were changed in the 1943 session. They sent out questionnaires; they gathered a great lot of information, and I find from the data obtained by the Commission that municipal authorities since the 1935 Act permitted the creation of municipal authorities, have issued at least forty-one million dollars of bonds. Of that forty-one million dollars worth of bonds there has been one default in the sum of eighty-five thousand dollars, or less than one-fifth of one per cent. Municipal authority bonds have never been in default. I think if you will investigate you will find that that is a better record than municipal bonds have made in the Commonwealth of Pennsylvania. The authority bonds rest for their security alone upon the revenue. Unless they have revenue producing and self-liquidating projects they cannot operate under the law, and therefore, as they have the power to fix rates and have the power to assess the rates which are to be paid, they are always assured of a revenue sufficient to meet the charges. Of the forty-one million dollars worth of bonds, the great majority of them have been purchased by large insurance companies, by trust companies and by other groups of investors in large blocks, and they are held at premium prices by the holders. There have been interest rates as low as 1.75 and the average of the rates runs from three to three and one-half per cent. If they can attract that kind of interest, if people are willing to invest their money at that low rate of interest in these bonds, certainly they must have a standing on the market, they must have soundness, otherwise the large investing organizations that have great research staffs would not be investing in these bonds.

The advantage in this bill is to the consumer and the rate payer. If this bill goes through, the authorities will be able to get a better price for their bonds and they will be able to get lower rates of interest than they otherwise could, because the bonds would become more attractive to the bond houses, banks and buyers generally. Therefore when you strike this provision from the bill you are not injuring some mythical group, you are injuring the rate payer who must profit, becaues the authority is a non-profit organization; all its money goes to the retirement of its securities; it goes to the amortization of the securities, and therefore every bit of money that can be saved is that much money saved toward the liquidation of the debt. It is therefore of much advantage to the rate payer and to the municipality, and I cannot but feel that the gentleman from Allegheny, Mr. Brown, for whose legal ability I have a great deal of respect, has gone into a field in which he does not understand the problem fully, otherwise he would not attempt to strike from this bill this provision.

You know there was an interim between the 1943 and this session, and it was considered whether there should not be an amendment made to the Authority Bill, Senate Bill 423, which has passed both Houses and is now in the hands of the Governor,—whether there should not be an amendment to that bill to carry this provision into effect, but it was felt by those who were studying the matter, and familiar with it, that any amendment of this kind should go into the Fiduciary Act.

As far as preferred stocks are concerned I think with the safeguards thrown around them preferred stocks are just as desirable an investment as are the bonds of many corporations. I think that the difficulty that rests in the minds of many of those who have thought on this subject is this, they seem to feel that because it is written in the act that you can buy certain bonds or a certain preferred stock, that the minute a fiduciary buys them, he is relieved of all responsibility because the act happens to say that that is a legal investment.

The bonds of municipalities are legal investments, but I know of lots of municipalities whose bonds no trustees would ever buy. I know of municipalities that have defaulted in their municipal bonds and cannot collect their tax rates. I know of bonds, first mortgage bonds of railroads, that have at times been considered gilt edge, that have become in default. I have known of other bonds as many of you have, that went into default and it would not relieve a trustee if he bought that security and did not exercise due care and diligence.

Subsection 19 of this act, which was originally in this bill, but because of the numbering of the sections was

eventually eliminated, was in the fiduciary act, which contains this paragraph.

> Nothing contained in this section shall be construed as relieving any fiduciary from the duty of exercising due care and prudence in the performance of the duties of his office.

So the fiduciary, notwithstanding the fact that he is empowered under this bill to buy a certain class of securities, must exercise due diligence in doing so. He cannot do it just because he is empowered to do so in this bill.

The reason for this bill is this, and I believe every man who deals in trust funds or who has trust funds for investment, understand that the great difficulty today is to find investments that will make a return that will help the people. The man who is suffering is not the large buyer of the bonds, the sufferer is not the banking and financial institutions, although their earnings have been cut, but the sufferers are the small estates, the widows and orphans with small estates of five thousand or ten thousand dollars. Where at one time you could have expected a return of at least four and a half to five percent on your money, today there are literally thousands of people who are dependent on the income from investments of this kind, aged people who are dependent on this money and who today have their income cut in more than half, because the banks cannot find and the trust companies cannot find investments in the restricted area or field for investment of trust funds at the present time.

I still think this bill is a good bill. It has the support of the banking and trust companies in almost every part of this state. There has just been opposition from one point, and that is all. I feel that this bill was studied by men who know the investment field and know the trust field. I do not think that those men have any desire to open this field so wide that there will be abuses. I have read the bill over carefully two or three times. I think there are checks and double checks, and as I said before, the bonds of our municipal authorities are a sound and safe investment for any fund. I know of no better security in the United States in the investment field.

Tomorrow you are going to have a large number of these authorities created in Pennsylvania to finance sewage disposal systems in Pennsylvania. You have made in the past bonds of the Turnpike Commission investments for trust funds. You have made the bonds of the Housing Authorities an investment for trust funds, and if you had had the opporunity to have studied and to have known our municipal authorities as I have, I think you would agree with me that you would rather have a municipal authority bond any day than you would have a Housing Authority bond. If they are safe investments in that respect, the Turnpike and Housing Authority bonds, then these muncipal authority bonds are safe investments, and I ask that you vote down these amendments.

Mr. BROWN. Mr. Speaker, I know that I would not attempt to argue with the gentleman from Delaware as to authorities, but I think the gentleman from Delaware has missed the intent of this bill. This is a bill not dealing with whether the authorties can get better prices for their bonds or whether their bonds are readily saleable on the market; this is a bill dealing with trust funds, and we in Pennsylvania have always been exceedingly jealous in guaranteeing to those people for whom these funds are intended, the return of those funds to them at the proper time.

In 1937 and prior there to we studied and we codified certain laws dealing with trust investments. No such study has been given to this bill. I do not doubt the gentleman's word that he believes that municipal authorities are proper investments for trust funds. The authorities that he is connected with may be, but this is for all authorities, and we are creating authorities so fast here and now that no one will know what will be the outcome of those authorties from the financial standpoint. There is no hurry for this bill; if the authorities, as the gentleman from Delaware has so well said, can sell their bonds so quickly on the market, then why do we want to utilize trust funds? It seems to me that we ought to let the trust funds remain as they are. This bill with the amendments would give them a wide latitude to invest in debenture bonds and bonds of certain corporations, and then after the authorities have proven their worth it may be that it might be possible to broaden the base in that direction. I do not believe we are hurting the authorities. The gentleman says that their bonds are saleable and are taken at a low rate of interest. That is fine; we are all glad to hear that. That is for the investor who wants to speculate, but we cannot speculate with trust funds, and I say to you, Mr. Speaker, that these amendments are proper, these amendments will safeguard these trust funds, and that is what the Legislature ought to do.

Mr. ANDREWS. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Rose.

Mr. ROSE. Mr. Speaker, I have been listening to the remarks of the gentleman from Allegheny, Mr. Brown, and the gentleman from Delaware, Mr. Turner, and I rise at this time to oppose the amendments offered by the gentleman from Allegheny. It is true that, as the gentleman from Allegheny indicated, we in Pennsylvania have been extremely jealous with respect to the protection of trust funds. However, those who are in charge of trust funds today have been faced with a serious and difficult problem in finding proper investments. My study of this bill has indicated to me that we are not in any way endangering trust funds, because all this bill proposes to do is to permit the trustees, the fiduciaries to invest in securities which are absolutely suitable.

Now, the prudent investment theory, which this bill is aiming to meet has been enacted in twenty states, I understand—twenty states where they have a similar law to what this bill proposes to enact, and there have been no unseemly results. I cannot see where there would be any danger imposed upon trust funds because it is giving them an opportunity to invest in certain types of investments, and accordingly I ask the Members of the House to oppose these amendments.

Mr. MAHANY. Mr. Speaker, I first want to point out that this special section relative to municipal authorities was not in the original bill as amended in the Senate, but was later amended to provide for municipal authorities. Also I want to point out that this is not a prudent investment theory as Mr. Rose has stated and is not in line with legislation passed by other states. The prudent investment theory bill was, as I understand, presented but was not put out of Committee, and this was some type of a compromise that was let out and was done very hurriedly during the last minute.

As Mr. Brown has pointed out the laws of the state of Pennsylvania have been very careful in stipulating what these trustees can invest in, and we have set up a certain number of investments which are allowable. If the maker of a will or the creator of a trust agreement desires to have this trustee invest in securities which are not as conservative, but are more risky than those we set up in the laws, he may do so in his will or in the trust agreement. He may set forth in his will that his trustee can invest in any type of securities that he sets forth, but in the absence of that provision that trustee is limited to the type of investment which we say under our laws he may invest in.

I believe that there will be many authorities instituted in the future. For instance, the Brunner Bill is going to be the means of setting up many authorities in the state of Pennsylvania for taking care of sewage treatment, and every little city will want to have a sewage disposal plant. Those sewage disposal plants cost a lot of money. For instance, a town of eight thousand persons will have to build a sewage plant which will cost them approximately one hundred fifty thousand dollars. Many of those cities have now borrowed up to the hilt, as far as the law of the state of Pennsylvania has allowed them to borrow, and that is seven per cent of their assessed valuation, and they cannot borrow another nickle to put up a disposal plant. How are they going to do it? They are going to get around that law by incorporating an Authority and issuing bonds in the guise of authority bonds. Those authority bonds do not depend upon the full credit of the municipality, they depend entirely upon revenue, and many of those cities will not be able to pay for those bonds in my opinion. The thing is in its infancy. We want to protect the man who sets up securities for his wife and for his children, and we don't want that widow and those children at some future date to find that they don't have any principal on which they can live for the rest of their lives; the only thing that they will have will be a lot of worthless bonds.

We have discussed this authority proposition perhaps more than we have the preferred stock. If you Members have followed the stock market you will find that a great many big corporations have defaulted in their preferred stock, especially after the 1929 stock market crash when there were many big corporations that defaulted in the preferred stock. Therefore, we think that preferred stock is not a proper investment for a trustee to make. As I said before, if you want to set up in your will the right of your trustee to invest in wild-cat securities you may do so, and you may also do so in your trust agreement. Therefore, I believe that everyone should vote in favor of this amendment. It is not a partisan proposition, it is certainly something we should do in order to protect the investment and future income of widows and children.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Mahany.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. MAHANY. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Crawford whether if these amendments are adopted he will vote for this bill.

Mr. MAHANY. Mr. Speaker, I think that question is out of order.

Mr. TURNER. I don't think so, Mr. Speaker. I thank the gentleman.

I think we can readily see that the gentleman from Crawford, Mr. Mahany, is not in favor of the bill under any circumstances, and that therefore the question of the amendment is not a sincere effort to make the bill what he thinks would be a good bill, but an effort to defeat the bill.

I would like briefly to answer one statement that the gentleman from Crawford made, and that is about the securities which have been available for legal investment of trust funds under the act that we have had in Pennsylvania. I think every man who has had any contract with trust funds or trust companies or who has investments of his own will know that his portfolio will have many mortgages in it, even under appraisement where they have taken losses. I know of many estates that have taken grievious losses through investments in mortgages.

I know of many a municipality whose municipal bonds are in default. Now, what does the trustee do? Just because the bill says that he can invest in the bonds of an authority, he will not invest in every little authority he can find. He investigates the muncipality. He knows the municipality and he finds out what the municipality's position is, he finds out what the authority is going to do; he learns from the report what will be the revenue. The authority has the right, if it is a water company, to make a water rate and it fixes the rate to raise sufficient money to amortize the bonds and pay the interest on them. In practically all the indentures that I have seen is a provision that the rentals must raise one hundred twenty percent to pay the interest and to amortize the bonds, so it seems to me that the argument does not hold water; the argument is unsound. We have millions of dollars of investments that are held by some of the most skillful investors in the country, that have a marvelous record, so much so that it is almost impossible for them to fail, because I tell you of one eighty-five thousand dollar loss where they had the WPA agreement in the beginning, and the WPA folded up, and other questions entered into it. It was not a question of a going authority whose bonds were on the market or were available, so I again ask the House to vote down the amendments.

Mr. GRANT. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall.

Mr. GRANT. Mr. Speaker, is it a fact that presently before a public authority can purchase a water works or when they enter into an agreement to purchase a water works from a private individual, that that first has to be approved by the Public Utility Commission?

Mr. TURNER. That is correct, Mr. Speaker.

Mr. GRANT. How many purchases have been approved by the Public Utility Commission since the amendment was put into effect in 1943?

Mr. TURNER. There has been one approval, I think, and there are one or two now before the Commission.

Mr. GRANT. How many have been filed since 1943?

Mr. TURNER. I have no exact knowledge about that, but I would say about three or four.

Mr. GRANT. How many public authorities purchased

water works and any other public utilities prior to the amendment that was put into effect in 1943?

Mr. TURNER. I think there was a total of about thirty.

Mr. GRANT. I thank the gentleman from Delaware. Mr. Speaker, as I see this problem in the first place the public utilities themselves want to hamstring the public authorities and discount their popularity and the great strides that they were making by passing the amendment that was passed in the 1943 session, and I think the gentleman from Delaware will agree with me. I bitterly opposed that amendment and he also opposed it. Therefore, the question of investment in those particular authorities that are in existence will be at a very minimum if the experience of the past two years means anything at all.

Now, as to this bill and the amendment itself, the gist of this problem as I see it is whether or not the people who originally made these trusts ever intended to give the trustees the right to invest in the two types of investments that are included in this bill. I think that some of the men who set up these trusts, would turn over in their graves if they knew that the trustees of their estates would have the right to invest in this type of investment.

The whole gist of this matter is whether or not we can give these banks the right to invest in these two new types of investment. That is the whole problem. The question has been presented here that the bankers are unable to raise enough money for these people for whom they are investing this money, but as I see it the men who set up these trusts in the first place knew at the time that they made their wills that if they so desired they could have authorized these trustees to invest in these very types of investments, but they didn't see fit to do so at that time.

It goes without saying that the banks are interested in having a further extension of the right to invest because they are interested in making larger returns for themselves, for which they get five per cent commission. I was approached by the bankers in my town about this very proposition. They would like to have the right to invest in improved investment offers, but the experiences of the banks have been such that they have not been any too prudent in many instances. I said to the gentlemen approaching me in my city, whom I know very well, I know that they are very well qualified to make these investments, and I would not hesitate to make a will and entrust them to make investments of the type included in the prudent investment bill. I say I know other investors that are darned good farmers, and I wouldn't like them to invest my money in one type of investment or another, so it comes down to this, are we now willing to allow these trustees to invest in these two new types of investments or are we going to say that the men who at the time they made their wills never intended to make investments of this nature, because if they had they would have included in their wills the authority to do so. I rise, Mr. Speaker, to repeat that I do not think that the men who originally made these trusts ever figured that they would be extended to cover this, and anybody in the future who desires to permit this type of investment, included in the prudent investment bill, that they have the right to do so.

Mr. COHEN. Mr. Speaker, very briefly on the amendments if I may. The bill as it is before us without the amendments has four different kinds of investments to be permitted to fiduciaries. The attempt to strike out municipal authorities and the attempt to strike out preferred stock investments I think is an attempt to satisfy an ideal. There has been much said about what happened before 1929 in the stock market when people lost money, and my experience is that I have seen as many bonds go bad as preferred stocks. Most investors have no objection to investment in bonds, but they have objections to investments in preferred stocks. Since 1929 we have the Securities and Exchange Commission that must pass on all securities, upon all issues of stocks, and not only pass upon the stock but they also pass upon the placing of the stock upon the market as it is sold each day. I think we have governmental safeguards that will insure greater safety in stocks. As I see it this bill is not necessarily for trust officers. They know how to get good investments and how to make good investments because they have at their hands sources of information and means for finding out what is the best investment. I believe it is for the benefit of widows and orphans or little estates and little trustees, who do not know where to get the best stocks, and who want to enlarge their field of investment so that they can find more of investments and get a better income which the big companies are able to get because they can pay a better premium.

I have had trouble getting good mortgage investments for people I represent, and I would like to get in on some decent stuff which is policed by the SEC and regulated by the Public Utilities Commission of Pennsylvania. If you will read the preferred stock restrictions I think you will agree with me that they would be safe as investments.

I think, Mr. Speaker, either we ought to defeat the entire bill or defeat these amendments and pass the bill, because I can't see any difference in what may turn out to be bad bonds or what might turn out to be bad preferred stocks. I prefer, that we have the whole subject before us. I thnk we ought to defeat the amendments and discuss the bill itself with all its features rather than amend it now.

On the question recurring,

Will the House agree to the amendments?

On a rising vote sixty-seven members having voted in the affirmative and eighty-one in the negative the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BROWN. Mr. Speaker, it is difficult to add anything more to what has just been said in the debate concerning the introduction of the amendments. It is unfortunate that this bill arises at this time when none of us are perhaps physically in position to give it the attention it should be given. There were some wild statements made on the floor of this House during the debate on the amendments which I did not challenge

but which I think were made purposely to becloud the issue.

The gentleman from Philadelphia, Mr. Rose, says that this bill or a similar bill was enacted in twenty-one states. There is not a state in the Union that has such a bill. The gentleman from Philadelphia, Mr. Cohen, says that he would rather have some preferred stocks than certain debenture bonds. I am sure that the gentleman from Philadelphia, the lawyer, did not intend to make that statement. However, I am not going to prolong the debate. If this Legislature feels that this sacred money of persons left in trust for minors, for widows, for people who are not able to take care of their own property, should be left open to be thrown upon the market, then I can do nothing but vote "no"'. There is no particular rush for this bill. There isn't any bank that anybody has named that is interested in this bill, and I don't believe anyone can name any bank that is interested in this bill.

I am not trying to intimate that the bill has any personal or any ulterior motive behind it, but I cannot understand at this time, knowing how we have steadily and how the people of Pennsylvania have steadily been trying to be cautious in protecting trust funds, knowing the losses we have sustained throughout the years even when we have tried to protect trust funds, and what a chaotic condition has been brought about in the investment of these trust funds on occasion.

I am not going to prolong this debate. If it is the will of this Legislature that this bill be passed, I can only say that I believe it will come back to haunt them, that we should not pass this type of legislation without due consideration and due study, and I intend to vote "no" on this bill.

Mr. ANDREWS. Mr. Speaker, we have a banking measure, said to be an investment measure for the benefit of widows and orphans. They tell of the immense opportunity if the doors can be opened, of enabling the widows and orphans to get more for their meager inheritance, their meager competence.

There has not been a single reputable financier outside of the Senate and the House who has gone on record in favor of this bill; there has not been a single reputable lawyer of note outside the Senate and this House who has gone on record in favor of this bill. I would say that the financial testimony adduced at this bar has been eminently immature, and I am sure that the legal opinion is as yet fairly evenly divided, because the gentleman from Delaware and the gentleman from Philadelphia have said one thing and the gentleman from Allegheny has said something else. I do not know whether in a question of law and a question of prudence the talent of the gentleman from Allegheny does not quite balance that of the gentleman from Delaware and the gentleman from Philadelphia. Have you ever heard of an instance in which there was such profound bleeding, heart bleeding because of the widow's mite? We come to protect the widow and the orphan, and what door do we open? The gentleman from Allegheny is quite right, we open the door to the authorities, we proceed to adopt authorities when we talk about trust funds. Now, I don't know, I hope someone will inform me whether corporations having the record that this bill says they have can issue new issues of stock that would come under the requirements of this bill? There are going to be floods of new issues, money has been damming up, that is true, and a lot of people want those funds that have been gathered.

Some of the eminent gentlemen who have been perhaps interested in these funds are in the same class as the gentleman who filled portfolios with Peruvian bonds, Chile bonds, Berlin bonds because they were bonds, and the same gentlemen would not have any more conscience in filling portfolios with stocks, preferred or common.

It is peculiar, and I sympathize with them, the sponsor of these amendments, who protest about the hurry. This is very important legislation, it goes down an entirely new lane as far as the investment of trust funds is concerned, and I hope that this weary House, this very, very weary House does not start down that lane in its present weary condition.

Mr. MAHANY. Mr. Speaker, the gentleman from Delaware has accused me of wearing a black shirt in the House. I have been called other things, but this is the first time that he accused me of being insincere. I don't think he means it, because I was sincere in presenting these amendments, and I am sincere in saying that without the amendments I am against this bill. Our banks in the western end of the state are against the bill, the banks in my county are against the bill, and they have derived their guidance from the Union Trust Company of Pittsburgh that seems to be the leader in the fiduciary field in the western end of the state, and they are very much opposed to this bill and have asked that it not be passed.

In addition to that they say they would like to have time between now and the next Session of the Legislature to study a possible means of opening the door somewhat for fiduciary investments, but they do not believe that this bill is the thing to pass, and therefore, they have asked us to not pass it.

Mr. TURNER. Mr. Speaker, I have listened to the statement of the gentleman on the other side, particularly the sarcastic statements of the editor from Johnstown, who undoubtedly felt that he was still writing for that sheet of his out there and dipped his pen in the vitriolic ink that uses for editorial comments.

The gentleman from Cambria sometimes knows what he is talking about. This time he was travelling off into the realm of fantasy, and he got himself all tied up in the idea of sarcasm and the innuendo in his speech to such an extent that he forgot to bear down on the facts and to talk factual matters.

I find that this measure was passed by the Senate thirty-eight to four, and there was some implication by one of the opponents that there must be something wrong because an amendment appeared in this bill that was not in the bill when it passed the Senate. I thought I made perfectly clear the reason why it is here, and that the amendment was introduced after discussion with the men who are interested in the bill and after discussion with the Senator who I felt was in the closest contact with both the banks and trust companies and the Authority question, and he said that it was the understanding, that I would introduce this amendment in the House.

When the gentleman from Cambria attempts out of his long imagination to state that there are no banks that

have been interested,—or perhaps it was the gentleman from Allegheny who said no one had pointed out where any bank was interested, and therefore it must be just a few of us in the House who are interested, that is be a most silly assertion and on its face ought to have no weight with anyone in this House.

I would say that no later than last Friday I received in my office in Chester a letter from one of the most respected trust officers of one of the largest trust companies in Philadelphia urging me to support this bill. As I had an errand in Philadelphia, and had another matter that I wanted to discuss with him, I went to his office and discussed this matter with him. He told me the reason for it, he told me this was a good bill, that he would have liked to have a broader investment bill than was proposed, but there was opposition by many banks and it was felt that perhaps it should not be so broad, and therefore this bill was preferable.

Since this debate has been going on there have been handed to me from by Members of the House letters from banks. I would like to read an excerpt from the First National Bank and Trust Company of Bethlehem in which the gentleman signs himself as Chairman of Corporate Fiduciaries of Group 3:

> This bill, Senate Bill No. 641 will be of material benefit in the administration of trust funds, although not nearly as beneficial as the Prudent Investment Trust bills were. As an individual trust man and also as acting chairman of corporate fiduciaries of Group 3, I would appreciate your support of Senate Bill 641 by voting in favor of its enactment.

Another Member of this House has handed me two letters from the largest trust company in the northeastern section of the state, the Scranton-Lackawanna Trust Company of Scranton, Pennsylvania, in which he asks him to support this measure. He says in one letter:

> The officers of this company are very much interested in securing the passage of Senate Bill 641. This bill has passed the Senate by thirty-eight to four. Mr. McKee as Secretary of Banking approves the legislation. We would all appreciate if when it comes up in the House you will cast your vote in favor of it.

I might say if I had thought for one moment that there would be anyone with the temerity to say that none of the banks were interested, I could have gone to my locker and produced letters from banks and I can produce letters from individuals, men and women from my own county, who have written me asking me to support this measure, because they said it was not possible to secure the kind of investments that were needed for trust funds, that their income had been so cut that they were asking that there be a broadened base and a broader field of investment in order to increase their earning. So I say let us not get on our feet and weep for the widows and orphans, let us present plain facts. Let us not try to throw bricks at the Members of the House; let us not try to impugn the motives of any of the Members; let us not say that this is a measure that somebody thought about that has no backing, something that was picked out of the air, but let us come down here and argue it fairly and in the right kind of way. If you know anything about investments, talk about investments and not about your poor widows and orphans.

Mr. GRANT. Mr. Speaker, the gentleman from Delaware is apparently carried away with his enthusiasm to have this bill passed. I want to reiterate that the gist of this whole bill is whether or not we want to extend or broaden the field of legal investments.

As I said before, I was approached by the bankers in my town to support this bill, but it is my honest conviction that this right should not be extended to them because of the fact that at the time these men made these wills and set up these trusts they did not contemplate any other type of investment than those that were in existence at the time they made their wills, otherwise they would have included in their will the right to the trustee to invest in something other than that particular type of investment. That is the whole gist of this bill, and nothing further than that. Do not lose sight of the fact that the bankers are interested in the five percent commission that they will receive from the additional revenue that they may obtain from this type of investment.

Mr. ANDREWS. Mr. Speaker, I am deeply indebted to the gentleman from Delaware who uncovers this particular diversion of opinion. I am interested to know that he and other Members have received so many letters from various bankers who up to this time did not show their hand, and that is a peculiar fact. Now I say to the bankers, to the banking fraternity, that as the guardians of trust funds their position has not been impeccable and their opinion, even of the bankers has not been such as has always ministered to the safety of those who invest money or people who are dependent upon small competences.

I am sorry that I have aroused the gentleman from Delaware to such extreme language, but I would say to him that it would have been far better had he trotted out his alleged expert evidence instead of sitting on it. We ought to have more of the same kind of thing. It ill behooves him to come into this House arguing this thing through on the basis of authority when he had in the back of his head an entirely different motive.

QUESTION OF INFORMATION

Mr. LOVETT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state it.

Mr. LOVETT. May I ask, Mr. Speaker, if a Member has a personal interest in a bill, may he vote on the bill?

The SPEAKER. The Chair will read the constitutional provision (Article III Section 33) on this question:

> A Member who has a personal or private interest in any measure or bill proposed or pending before the House shall disclose the fact to the House and shall not vote thereon.

The Chair will also read from Decisions of the House a portion of Paragraph 148A (Pa. Manual, 1943, page 756).

> The right of a Member to represent his constituency, is of such major importance that a Member should be barred from voting on matters of direct personal interest only in clear cases and when the matter to be voted upon is particularly personal.
>
> When the matters under consideration affect a cause rather than individuals, the personal interest

belongs, to that cause and is not such as to disqualify a Member from voting.

If that interest is common in a class it is not a personal interest.

Mr. LOVETT. Mr. Speaker, in reading the Constitution I thought there was a possibility that we really accomplished something when we refused to allow people who have a personal interest in legislation to vote on it, but after reading through I find that the Constitution as usual is very elastic and takes care of my attorney friends and everybody else. However, I do think we should be fair, and those who have a personal interest should get up and say so and not vote on the bill.

Mr. BROWN. Mr. Speaker, may I have your indulgence for just a moment? I am reluctant to challenge the remarks of my good friend from Delaware, Mr. Turner, I admit that all of us do not know all of the intricacies involved in corporation finances, but we do understand some of the English language, and I call his attention to page nine of this bill, the clause dealing with preferred stock, which says

> After a corporation has been in existence for ten years and has paid its taxes for ten years,

that is during this boom period,—

> and has not defaulted in any of its taxes and has a capital investment of not less than fifty million dollars. . . ."

Now, why fifty million dollars? What kind of a bill is this? How many corporations can meet this test? If they want to broaden the base, why don't they broaden it on a sound financial basis? It doesn't matter to me whether the corporation has assets of fifty million dollars or ten million dollars, the question is, is it sound? A fifty million dollar corporation that has assets,—and this bill says nothing about liabilities, could be just as insolvent as a five million dollar corporation. I say to the gentleman from Delaware and the Members of this House this bill should not pass until we at least know what is behind it and have a chance to see that these investments are going to be safe.

On the question recurring,

Shall the bill pass finally?

Agreably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Mahany, Powers and Fleming asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—95

Barton,	Gibson,	McAtee,	Scanlon,
Bonawitz,	Green,	McClester,	Serrill,
Boorse,	Greenwood,	McCormack,	Shoemaker,
Bower,	Guthrie,	McNair,	Skale,
Brancato,	Gyger,	Miller,	Sloan,
Brunner, C. H.,	Hall,	Milliken,	Smith,
Burns,	Haudenshield,	Moser,	Snyder,
Cadwalader,	Hering,	Munley,	Sollenberger,
Cohen,	Hersch,	Murray, P. G.,	Sorg,
Cook,	Hewitt,	O'Dare,	Stonier,
Corrigan,	Hoffman,	O'Neill,	Tate,
Costa,	Howells,	Petrosky,	Tittle,
Coyle,	Huntley,	Propert,	Trachtman,
Dague,	James,	Reagan,	Turner,
Dillon,	Kline,	Reese D P.,	Varallo,
Dix,	Kolankiewicz,	Regan,	Verona,
Duffy,	Krise,	Reidenbach,	Watkins,
Dye,	Kurtz,	Reilly,	Wescott,
Elder,	Lee,	Riley,	Wood, L. H.,
Erb,	Leisey,	Robertson,	Wood, N.,
Finnerty,	Lichtenwalter,	Root,	Worley,
Flack,	Loftus,	Rose,	Yeakel,
Foor,	Longo,	Royer,	Fiss,
Gallagher,	Lyons,	Rudisill,	Speaker

NAYS—85

Andrews,	Frost,	Levy,	Pettigrew,
Baker,	Fullerton,	Lopez,	Pickens,
Barrett,	Gaffney,	Lovett,	Polaski,
Baumunk,	Gardner,	Madden,	Powers
Bentzel,	Getchey,	Madigan,	Reese, R. E.,
Boney,	Goodling,	Mahany,	Reynolds,
Boory,	Gore,	Matthews,	Salus,
Breisch,	Grant,	McDowell,	Schuster,
Brice,	Greer,	McLanahan,	Shaffer,
Brothers,	Haberlen,	McNally,	Snider,
Brown,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Hare,	Mikula,	Stuart,
Chudoff,	Helm,	Modell,	Swope,
Coleman,	Hennihan,	Mooney,	Trent,
Cooper,	Hunter,	Moran,	Wachhaus,
Cullen,	Jones,	Myhan,	Wagner,
Dalrymple,	Kirley,	Nagel,	Waterhouse,
Dougherty,	Komorofski,	O'Brien,	Weiss,
Elish,	Lane,	O'Connor,	Welsh,
Ewing,	Laughner,	O'Donnell,	Wright,
Fleming,	Leonard,	Owens,	Yester,
Freed,			

NOT VOTING—26

Bentley,	Heatherington,	Mills,	Polen,
Boles,	Herman,	Moore, C. E.,	Readinger,
Chervenak,	Hoggard,	Moore, W. J.,	Tahl,
Coulson,	Hoopes,	Murray, M. L.,	Trout,
Dennison,	Kennedy,	Nelson,	Turbett,
Depuy,	McKinney,	Pentrack,	White,
Fox,	McMillen,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 583, as follows:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28, 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or

abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budget of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdicton over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commision and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1927 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liability and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligation issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocations protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" is hereby amended to read as follows

Section 409 Construction Improving Protection Abolition Crossings Recording * * *

(d) When any real property is appropriated by the commission under this section each parcel of such property so appropriated shall be accurately described by metes and bounds and the record owner of each such parcel shall be named in the order of appropriation The commission shall file with the recorder of deeds of the proper county a copy of that portion of the order of the commission which appropriates such property and such plans and other detailed information as the commission may deem necessary Such portion of the commission's order dealing with the specific property appropriated shall be recorded and indexed under the name or names of the record owners of such specific property at the expense of the [county] utility or utilities political subdivision municipality or municipalities governmental agency including the Department of Highways and Public Utility Commission corporation or persons upon whose instigation petition or complaint the said crossing was constructed reconstructed relocated altered or abolished as may be ordered to bear such expense of recording by the commission Provided that when such appropriation of real property has been recorded under the provisions of any other statute such recording shall not be duplicated under the terms of this section

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Riley,
Baker,	Gaffney,	Madigan,	Robertson,
Barrett,	Gallagher,	Mahany,	Root,
Barton,	Gardner,	Matthews,	Rose,
Baumunk,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson	McClester,	Rudisill,
Bonawitz,	Goodling,	McCormack,	Salus,
Boney,	Gore,	McDowell,	Scanlon,
Boorse,	Grant,	McKinney,	Schuster,
Boory,	Green,	McLanahan,	Serrill,
Bower,	Greenwood,	McMillen,	Shaffer,
Brancato,	Greer,	McNair,	Shoemaker,
Breisch,	Guthrie,	McNally,	Skale,
Brice,	Gyger,	Mihm,	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Snider,
Brunner, C. H.,	Hamilton,	Mills,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Haudenshield,	Mooney,	Sorg,
Cadwalader,	Heatherington,	Moore, C. E.,	Stank,
Chudoff,	Helm,	Moore, W. J.,	Stonier,
Cohen,	Hennihan,	Moran,	Stuart,
Coleman,	Hering,	Moser,	Swope,
Cook,	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Costa,	Hoffman,	Murray, P. G.,	Tittle,
Coulson,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Cullen,	Hunter,	Nelson,	Turbett,
Dague,	Huntley,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Waterhouse,
Dix,	Komorofski,	Owens,	Watkins,
Dougherty,	Krise,	Pettigrew,	Weiss,
Duffy,	Kurtz,	Pickens,	Welsh,

Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.
Frost,	Lovett,	Reynolds,	

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER SPEAKER WELCOMED

The SPEAKER. The Chair welcomes this evening a former Speaker of this House, the gentleman from Philadelpha, Mr. Elmer Kilroy.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Cohen, to preside.

MR. COHEN IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 3 as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-three thousand dollars ($33,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-five for the purpose of maintenance to be paid according to law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Riley,
Baker,	Gaffney,	Madigan,	Robertson,
Barrett,	Gallagher,	Mahany,	Root,
Barton,	Gardner,	Matthews,	Rose,
Baumunk,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Bonawitz,	Goodling,	McCormack,	Salus,
Boney,	Gore,	McDowell,	Scanlon,
Boorse,	Grant,	McKinney,	Schuster,
Boory,	Green,	McLanahan,	Serrill,
Bower,	Greenwood,	McMillen,	Shaffer,
Brancato,	Greer,	McNair,	Shoemaker,
Breisch,	Guthrie,	McNally,	Skale,
Brice,	Gyger,	Mihm,	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Reynolds,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 4, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred ninety thousand dollars ($890,000) or so much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred forty-five for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for preparing and printing a compilation of laws relating to war veterans for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for cooperation in any way with the State Council of Defense in civilian defense activities for planning and providing for the rehabilitation and care of veterans and

for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Riley,
Baker,	Gaffney,	Madigan,	Robertson,
Barrett,	Gallagher,	Mahany,	Root,
Barton,	Gardner,	Matthews,	Rose,
Baumunk,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Bonawitz,	Goodling,	McCormack,	Salus,
Boney,	Gore,	McDowell,	Scanlon,
Boorse,	Grant,	McKinney,	Schuster,
Boory,	Green,	McLanahan,	Serrill,
Bower,	Greenwood,	McMillen,	Shaffer,
Brancato,	Greer,	McNair,	Shoemaker,
Breisch,	Guthrie,	McNally,	Skale,
Brice,	Gyger,	Mihm,	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Snider,
Brunner, C. H.,	Hamilton,	Mills,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Haudenshield,	Mooney,	Sorg,
Cadwalader,	Heatherington,	Moore, C. E.,	Stank,
Chudoff,	Helm,	Moore, W. J.,	Stonier,
Cohen,	Hennihan,	Moran,	Stuart,
Coleman,	Hering,	Moser,	Swope,
Cook,	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Costa,	Hoffman,	Murray, P. G.,	Tittle,
Coulson,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Cullen,	Hunter,	Nelson,	Turbett,
Dague,	Huntley,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Waterhouse,
Dix,	Komorofski,	Owens,	Watkins,
Dougherty,	Krise,	Pettigrew,	Weiss,
Duffy,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.
Frost,	Lovett,	Reynolds,	

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 9, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-five thousand dollars ($55,000) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for the payment of the salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employes for the payment of postage traveling expenses telephone toll charges telegrams newspapers advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other materials supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the Department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,

Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 10, as follows:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims of persons injured and dependent relatives members of families and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand ($25.000) dollars is hereby specifically appropriated to the Department of Military Affairs for the purpose of compensating any person for hospital medical and miscellaneous expenses loss of wages pain and suffering and to compensate any dependent relative or member of the family or personal representative of any person for hospital medical funeral and incidental expenses and loss of support where any such person was injured or killed in an accident between a passenger motor vehicle and a truck of or under control of the Pennsylvania National Guard and where no insurance was carried by the Commonwealth on such truck and where such person dependent relatives and members of a family are otherwise barred by law from recovery against the Commonwealth

Section 2 Any such person so heretofore or hereafter injured or any dependent relative member of a family or personal representative of such person so heretofore or hereafter killed as provided in section one of this act may present a claim for compensation to the Board of Finance and Revenue and for the purpose of hearing and adjusting such claims the Adjutant General of the Commonwealth shall become a member of said board with full powers of a member thereof

Section 3 The Board of Finance and Revenue shall hear and determine all such claims and if in any case the board determines that such injury or death was caused by the negligence of the operator of the truck of the Pennsylvania National Guard that no insurance was carried on such truck by the Commonwealth that a moral claim exists against the Commonwealth for such injury or death and that such claim or claims are not adjustable or recoverable under existing law against the Commonwealth it shall make a finding to that effect and shall fix the sum which in its opinion will compensate any such injured person or the dependent relative or members of the family or any person killed and shall certify such findings to the Adjutant General

Any amount so fixed by the Board of Finance and Revenue shall be payable from the appropriation hereinbefore made by requisition of the Adjutant General in the manner provided by law and to each such requisition shall be attached the findings of the Board of Finance and Revenue

Section 4 The action of the Board of Finance and Revenue in allowing or disapproving a claim shall be final and there shall be no appeal therefrom but the board in its discretion may grant rehearings on any claim and make new findings in accordance with this act

Section 5 This act shall become effective on the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 16, as follows:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred thirty-nine thousand nine hundred dollars ($439,900) or as much thereof as may be necessary is hereby specifically appropriated out of the States Stores Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligation of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of two hundred nine thousand one hundred dollars ($209,100) and to the credit of the Contingent Reserve Account the sum of two hundred thirty thousand eight hundred dollars ($230,800)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 17, as follows:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 996)

Out of the General Fund	$10,000.00
Out of the Motor License Fund	10,000.00
Out of the Administration Fund	200.00
Out of the Federal Social Security Fund	50.00
Out of the Liquor License Fund	1,000.00
Out of the Fire Insurance Tax Fund	1,000.00
Out of Fish Fund	90.00
Out of the Game Fund	210.00
Out of the School Employes Retirement Fund	1,200.00
Out of the State Workmen's Insurance Fund	2,500.00
Out of the Milk Control Fund	140.00
Out of the State Stores Fund	1,000.00
Out of the State School Fund	35.00
Out of the State Farm Show Fund	35.00
Out of the State Employes' Retirement Fund	1,700.00

Section 2 The sum of one thousand six hundred and forty-one dollars ($1,641) is hereby specifically appropriated to the Treasury Department from the General Fund for the purpose of balancing the accounts of said department to May thirty-first one thousand nine hundred forty-one to enable the Department to adjust its books for duplicate payments or other errors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,

Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 22, as follows:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unexpended balances of appropriations made from all funds of the State Treasury by the General Assembly at its session of one thousand nine hundred and thirty-seven or at any session prior thereto which shall remain unexpended on the effective date of this act shall lapse on that date

Section 2 All unexpended and unencumbered balances of appropriations made from all funds of the State Treasury by the General Assembly at its regular session of one thousand and nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty which shall remain unexpended and unencumbered on the effective date of this act shall lapse on that date

Section 3 The provisions of this act shall not apply to any balance remaining of the appropriation of June 5 1937 Appropriation Acts Page thirty-nine making an appropriation into the Flood Control Fund nor to the appropriation made by the Act of August 6 1941 Pamphlet Laws page eight hundred forty-nine relating to the acquisition of Robert Fulton's Birthplace or to the unexpended balance remaining of the appropriation made by the act approved the first day of August one thousand nine hundred forty-one (P. L. 609) entitled "An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Luzerne Sullivan and Wyoming Counties for use as a State Park making an appropriation for said acquisition providing for the management of said property by said department and defining the uses to which the property shall be put"

Section 4 This act shall be effective upon the date of its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,

Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett.		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 29, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-one thousand three hundred dollars ($31,300) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred and forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of fourteen thousand nine hundred dollars ($14,900) and to the credit of the Contingent Reserve Account the sum of sixteen thousand four hundred dollars ($16,400).

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 32, as follows:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase condemnation or gift the construction and equipment and furnishing of any buildings and the alteration removal remodeling or replacing of existing buildings to be used for barracks and training facilities for the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million fifty thousand dollars ($2,050,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition of land and buildings by purchase condemnation or gift the construction furnishing and equipment thereof and of existing structures and buildings for the use of the Pennsylvania State Police as barracks and training facilities

Section 2 Within the meaning of this act the word "construction" shall include the construction of new buildings altering improving adding to or replacing existing buildings the construction of sewage treatment plants reservoirs water supply systems electrical and other facilities altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities the purchase and installation of all necessary equipment in new or remodeled buildings and the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 3 The amount of the foregoing appropriation

to be expended for or upon any of the purposes for which this appropriation is made shall be recommended by the Commissioner of the Pennsylvania State Police and approved by the Governor

Section 4 This bill shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 42, as follows:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-seven thousand seven hundred dollars ($27,700) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of thirteen thousand two hundred dollars ($13,200) and to the credit of the Contingent Reserve Account the sum of fourteen thousand five hundred dollars ($14,500)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 43, as follows:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred seven thousand one hundred dollars ($907,100) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State Employes receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of four hundred seven thousand two hundred dollars ($407,200) to the credit of the Contingent Reserve Account the sum of four hundred forty-nine thousand nine hundred dollars ($449,900) and to the credit of the Pennsylvania State Police Retirement Account the sum of fifty thousand dollars ($50,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yeager,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 49, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred and forty-five for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 51, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eleven thousand four hundred dollars ($11,400) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five thousand four hundred dollars ($5,400) and to the credit of the Contingent Reserve Account the sum of six thousand dollars ($6,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 54, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million six hundred fifty-one thousand two hundred dollars ($1,651,200) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and forty-five for the general maintenance of the University of Pittsburgh the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university including maintenance of teaching facilities in hospitals for students of the School of Medicine of the university including the Maternity Dispensary and other dispensaries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood.	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 60, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred forty-five by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or The Pennsylvania Occupational Disease Act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,

Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 64, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-five Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Senator of each such county except that for counties having more than one Senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any Senator of any senatorial district shall have the power to fill such vacancy or vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration sideration of Senate Bill No. 67, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia including the purchase of new units for the dredging plant and for the purchase or condemnation of sites upon which to erect piers bulkheads or other harbor structures

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 73 as follows:

An Act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for postwar repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million seven hundred fifty thousand dollars ($2,750,000) or so much thereof as may be necessary is hereby appropriated to the Department of Military Affairs for the following purposes (1) for construction of armories and the repair and improvement of present armory buildings (2) for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap (3) for post-war repairs to monuments in France and Belgium and (4) for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation

Section 2 Within the meaning of this act the word "Construction" shall include the construction of new buildings altering improving adding to or replacing existing buildings the purchase or construction of sewage treatment plants reservoirs water supply systems electrical and other facilities altering improving adding to or replacing existing sewage treatment plants reservoirs water supply system electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 3 The amounts to be allocated for any of the purposes mentioned in Section 1 shall be recommended by the Adjutant General and approved by the Governor

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,

Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 90 as follows:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the purpose of conducting cancer research to determine the cause mortality rate methods of treatment prevention and cure of cancer and allied diseases including the nature and extent of the facilities available in the several counties and cities of the state for the diagnosis and treatment of these diseases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 101 as follows:

An Act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall apply to all coal mines operating in the Commonwealth of Pennsylvania in which five (5) or more persons are employed at any one time

Section 2 It shall be unlawful to operate any portable electrical machine by means of a trailing cable unless such cable is safely and efficiently insulated by

flame resisting material and approved by the Secretary of Mines

Section 3 This act shall become effective one year following its final passage and it sprovisions shall be enforced by the Department of Mines provided however on written request from an operator the time may be extended by the Secretary of Mines for a period of not more than six (6) months

Section 4 Any operator or other person violating the provisions of this act shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty-five dollars ($25) and costs nor more than one hundred dollars ($100) and costs and in default of the payment of such fine and costs be imprisoned in the county jail for a period of ten (10) days

Section 5 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 111 as follows:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand ($10,000) dollars or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the two (2) fiscal years beginning June first one thousand nine hundred and forty-five to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks whose owners are known or unknown from the tideway of the Delaware River and its navigable tributaries

Section 2 Where the owner or owners of any sunken wreck which has been removed by or on behalf of the Navigation Commission of the Delaware River and its Navigable Tributaries is or are known or can be ascertained the costs and expenses of said removal together with interest at the rate of six (6) per centum per annum and an Attorney General's commission of ten (10) per centum shall be recovered for the Commonwealth by the Attorney General from the said owner or owners and paid into the General Fund of the State Treasury In such case the Court of Common Pleas of Dauphin County and the court of common pleas of the county adjoining that portion of the navigable stream where the sunken wreck may have been located are hereby given concurrent jurisdiction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,

Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 165 as follows:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby appropriated to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 166 as follows:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby appropriated to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,

Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 180, as follows:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia Pennsylvania for the purpose of replacing and renewing certain equipment and machinery

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of the Pennsylvania School for the Deaf at Philadelphia Pennsylvania for the purpose of replacing and renewing the heating hot water laundry and other equipment and machinery necessary for the proper conduct of the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 219, as follows:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available

buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Military Affairs is hereby authorized and directed to collect and to preserve all selective service and war records of residents of the Commonwealth of Pennsylvania

Section 2 When said records are compiled they shall be kept in any suitable space in any State owned building In the event no suitable space is available the Department of Military Affairs with the approval of the Governor is authorized to procure the construction of a suitable building to accomplish the purpose of this act

Section 3 Within the meaning of this act the word "construction" shall include not only the construction of a building but also the purchase or construction of electrical and other facilities the purchase and installation of all necessary equipment the payment of the cost of necessary plans specifications advertising for bids supervision architectural engineering and surveying fees

Section 4 The sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby appropriated to the Department of Military Affairs to accomplish the purposes of this act and shall be available for salaries and wages of employees supplies and equipment cost of construction and any other expenses which may be required

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 294, as follows:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement or nutritional status of industrial workers and other civilians

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the department for the purpose of advancing research and demonstrations on improvements in nutritional status and consequent improvement in physical well-being and efficiency of industrial workers and the nutritional status of other civilians based on research work now in progress The Department of Health shall commission those demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the demonstration as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount as the college shall request

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,

Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, I would like to inquire as to what legislative day we are now operating under.

The SPEAKER pro tempore. We are on the legislative day of May 3, 1945.

Mr. ANDREWS. Mr. Speaker, has there been any extension or turning back of the clock or any other parliamentary proceeding to keep us in that legislative day?

The SPEAKER pro tempore. The only thing that would end this legislative day is the adjournment of the House.

Mr. ANDREWS. Mr. Speaker, whence comes the time honored custom of turning back the clock when we turn Sunday into Saturday?

The SPEAKER pro tempore. When we are meeting the question of adjourning sine die.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

Senate Bill No. 387, Printer's No. 296,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 448, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of California State Teachers' College to acquire a tract of land for the use of California State Teachers' College and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of California State Teachers' College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land consisting of approximately eight (8) acres together with any and all buildings thereon erected adjacent to the property of California State Teachers' College in the township of East Pike Run Washington County Pennsylvania in order to make such tract available for use by California State Teachers' College in bringing in fuel for storage facilities and for any other purpose for which the same can be adapted

Section 2 Said tract of land when purchased shall be added to the lands of the California State Teachers' College The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of twelve thousand five hundred dollars ($12,500) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,

Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 468, Printer's No. 338 and

Senate Bill No. 473, Printer's No. 449

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 480, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission for the furnishing of "Pennsbury Memorial"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission to be used for the purchase of furniture paintings hangings rugs and other furnishings and accessories for the proper furnishing of "Pennsbury Memorial" in Falls Township Bucks County Pennsylvania The said money hereby appropriated may also be used for the payment of necessary costs expenses of and fees for experts to be employed in the search for original pieces of the aforesaid furniture and furnishings which are of the period and character suitable to this memorial and in addition thereto for all necessary expenses costs and fees incident to the designing and reproduction of proper period furniture and furnishings when suitable originals can not be purchased

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Reprensatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 536, as follows:

An Act authorizing the Department of Forests and Waters with the approval of the Governor to acquire certain tracts of land for the use of said department and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth the hereinafter described two tracts of land in Huntingdon County now almost entirely surrounded by other lands of the Commonwealth for the use of the said department

Section 2 The said tracts of land are situated in Shirley Township in said county and are bounded and described as follows

Tract No 1 Beginning at a post thence by a tract of land warranted in the name of Peter Lockert N 29° E 450 rods more or less to a white oak thence by a tract of land warranted in the name of Jacob Canote S 57° E 110 rods to a post thence by a tract of land warranted in the name of William Wilson and a tract of land warrated in the name of William Thompson S 33° W 450 rods more or less thence in a northwesterly direction 100 rods more or less to the place of beginning and is a part of the tract of land surveyed August sixteenth one thousand seven hundred ninety-four in pursuance of a warrant granted to Richard Pendleton dated June second one thousand seven hundred ninety-four containing four hundred twenty acres twenty-eight perches

Trace No 2 Beginning at a post thence by a tract of land warranted in the name of Jacob Canote N 29° E 220 rods to a post thence by a tract of land warranted in the name of Peter Lockert and a tract of land warranted in the name of Peter Province N 45° W 274 rods to a white oak thence by a tract of land warranted in the name of John Donough S 42° W 199 rods to a chestnut thence by a tract of land warranted in the name of Henry James S 45° E 324 rods to a post at the place of beginning Containing three hundred sixty-nine acres and seventy-three perches

Being all of the tract of land surveyed August six one thousand seven hundred ninety-four in pursuance of a warrant granted to Henry Herris dated March twenty-two one thousand seven hundred ninety-four

Section 3 Said tract or tracts of land when purchased shall be added to the lands now under the jurisdiction and control of the Department of Forests and Waters of the Commonwealth

The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 4 The said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 5 The sum of three thousand five hundred and eighty dollars ($3,580) or so much thereof as may be necessary is hereby appropriated to the department of Forests and Waters for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 578, Printer's No. 395 and

Senate Bill No. 642, Printer's No. 455,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 643, as follows:

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All zoning ordinances heretofore passed within five years prior to the eighth day of May one thousand nine hundred twenty-nine and which were recorded on or before the eighth day of May one thousand nine hundred thirty-nine by borough secretary or clerk in the book provided for the recording of borough ordinances are hereby validated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,

Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Cohen,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 646, as follows:

An Act re-appropriating for additional purposes moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting constructing and equipping an auditorium at Indiantown Gap

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-five thousand dollars ($125,000) being the amount appropriated to the Department of Military Affairs by the act approved the sixteenth day of May one thousand nine hundred forty-one (Appropriation Acts page 6) entitled "An act making an appropriation to the Department of Military Affairs for the purpose of erecting constructing and equipping an auditorium at Indiantown Gap Military Reservation" is hereby specifically re-appropriated to the Department of Military Affairs for the purpose of erecting constructing and equipping an auditorium assembly hall or any other building or buildings or making any other improvements additions or repairs at said Indiantown Gap Military Reservation as may be deemed necessary by the Adjutant General with the approval of the Governor

The Department of Military Affairs and the Department of Property and Supplies are hereby empowered and authorized to enter into all contracts they deem necessary to carry out the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection ,

Senate Bill No. 649, Printer's No. 325,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 652, as follows:

An Act to amend the title and further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" extending the provisions thereof to the Pennsylvania State Guard and making changes with respect to advance in grade of retiring Officers and enlisted men

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" is hereby amended to read as follows

An Act relating to retirement from the Pennsylvania National Guard and the Pennsylvania State Guard

Section 2 Section one of said act as last amended by the act approved the third day of June one thousand nine hundred forty-three (P. L. 837) is hereby further amended to read as follows

Section 1 Grade of Retired Officer or Enlisted Man (a) When any person now retired or who may hereafter be retired from the Pennsylvania National Guard [has served in the Pennsylvania National Guard whether as an enlisted man or officer or both for a period of more than forty years] or from Pennsylvania State Guard shall have served more than forty years either as an officer or an enlisted man or both in the Pennsylvania National Guard or in the Pennsylvania State Guard or in both he shall upon application made to the Adjutant General be placed upon the retired list as of the next higher grade [but not higher than Major-General] and if he shall have served in the Pennsylvania National Guard or in the Pennsylvania State Guard or in both for more than [thirty] twenty years whether as an enlisted man or officer or both he shall upon application made to the Adjutant General be placed upon the retired list as of the next higher grade but not higher than Colonel Provided however That [in considering the period of service aforesaid the military service by such enlisted man or officer whether in the Pennsylvania National Guard engaged in the Federal Service or in the United States Army Navy or Marine Corps in any war or military service in which the United States has participated including the Spanish-American War the Philippine Insurrection the Mexican Border service or the World War or other United States foreign military service shall be included and counted double in calculating the period of service for retirement with increased grade under the provisions of this act Provided further That for the purpose of retirement an officer who has served for more than thirty-nine years and five months shall be deemed to have had more than forty years of service Provided further that] any person who has served as a Colonel in the Pennsylvania National Guard or in the Pennsylvania State Guard for a period of [at least] five or more years [who] and has commanded a regiment for at least one year and served at least twenty years as a commissioned officer in the National Guard of any state territory or the District of Columbia or in the United States Army Navy or Marine Corps or any two or more of them shall upon application [made] to the Adjutant General be placed upon the retired list as of the grade of Brigadier General and if he shall have served in the Pennsylvania National Guard or in the Pennsylvania State Guard or in both as a commissioned officer for a period of at least ten (10) years he may upon application made to the Adjutant General be placed upon the retired list as of the highest grade he held in the Service Service in the Pennsylvania National Guard in Federal Service or in the Volunteer Forces of the United States or in the Army Navy or Marine Corps during any of the wars of the United States or during any other Federal military service may be included and counted double its actual length in calculating the period of service for retirement All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard or of the Pennsylvania State Guard on all proper military and semi-military occasions [This act shall be construed to include deceased officers and enlisted men heretofore retired who had more than forty years of service if application is made to the Adjutant General by some society post or camp of honorably discharged soldiers that the name of such officer or enlisted man be placed upon the retired list as of the next higher grade but not higher than Major-General]

(b) When a commissioned officer is sixty-four years of age he shall be retired from active service and placed upon the retired list The commission of any officer placed upon the retired list shall be considered terminated and the office held by him vacated

(c) When an officer has become incapable from any cause of performing the duties of his office he may be ordered before an efficiency board created as herein provided and sitting as a retiring board If said officer is found disqualified he shall be retired as of the highest grade he held in the service The action of any such board shall be subject to the approval of the Governor as Commander-in-Chief

(d) Enlisted men who shall have served thirty (30) years in the Pennsylvania National Guard or the Pennsylvania State Guard or both or who have been disqualified by reason of physical disability incurred in the line of duty shall upon application made to the Adjutant General be retired from active service and placed upon the enlisted men's retired list Service in the Pennsylvania National Guard in Federal Service Service in Volunteer Forces of the United States in any war or in any other Federal Military Service may be included or counted double its actual length in calculating the period of service for retirement

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose, T.
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,

Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 653 as follows:

An Act to amend the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select procure furnish and award certain decorations medals and badges" providing for additional decorations medals and badges and changing the procedure for awarding the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select procure furnish and award certain decorations medals and badges" is hereby amended to read as follows

Section 1 Be it enacted &c That the Department of Military Affairs of the Commonwealth shall select procure furnish and award the following decorations medals and badges The detailed specifications and design shall be selected by the Department of Military Affairs and they shall be awarded and distributed in accordance with rules and regulations to be adopted by said department

(a) [A] Pennsylvania Cross for Valor [a decoration] to be awarded to members of the Pennsylvania National Guard or of the Pennsylvania State Guard or of the Military or Naval Forces of the United States [or of the Organized Reserves or Regular Army attached thereto] for acts of bravery courage or valor [or heroism] above the ordinary gallantry of other members of the [Military] Service The Pennsylvania Cross for Valor will ordinarily be awarded on the recommendation of the commanding officer of a regiment or similar unit but such recommendation may be initiated by an officer of lower rank

(a.1) Pennsylvania Distinguished Service Medal to be awarded to commissioned officers of the Pennsylvania National Guard or of the Pennsylvania State Guard or of the Military or Naval Forces of the United States in recognition of meritorious service rendered to the Commonwealth of Pennsylvania The Distinguished Service Medal will ordinarily be awarded on the recommendation of the Governor or a general officer specifically showing that at the time of the rendition of such service the person recommended was on a duty of great responsibility

(b) A Service Medal to be awarded to members of the Pennsylvania National Guard or of the [Organized Reserves or Regular Army attached thereto] Pennsylvania State Guard for any period of active service in an emergency within the Commonwealth

(c) [A Meritorious Service Medal to be awarded to either a member of the military or naval forces of the United States not necessarily in the Pennsylvania National Guard or to deserving civilians in recognition of meritorious service rendered to the Commonwealth] Laurel Leaf Not more than one Pennsylvania Cross for Valor Pennsylvania Distinguished Service Medal or Meritorious Service Medal shall be issued to any one person but for each succeeding deed act or achievement sufficient to justify any of these awards a silver laurel leaf shall be awarded in lieu thereof The laurel leaf is worn on the ribbon of medals or corresponding ribbon bar

(d) A Marksmanship Badge to be awarded to civilians or to members of the Pennsylvania National Guard or of the Pennsylvania State Guard or of the military or naval forces of the United States not necessarily in the Pennsylvania National Guard or Pennsylvania State Guard who as individual competitors or as members of a team in rifle or pistol matches win first second or third place in any State Interstate National or International Matches

Section 2 Said act is hereby amended by adding at the end thereof two new sections to read as follows

Section 2 The Adjutant General shall appoint a Board of three (3) commissioned officers consisting of (1) a general of the line (2) a regimental commander and (3) a colonel or lieutenant-colonel for the purpose of considering recommendations for the Pennsylvania Cross for Valor the Pennsylvania Distinguished Service Medal and the Laurel Leaf

Section 3 A commissioned officer of the Pennsylvania National Guard who has heretofore been awarded the Meritorious Service Medal shall be authorized to receive in lieu thereof the Pennsylvania Distinguished Service Medal

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,

Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 666, as follows:

An Act to further amend the title and sections one to twelve both inclusive of the act approved the nineteeth day of March one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization government discipline maintenance and regulaton of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" by changing the name of the Pennsylvania State Guard to Pennsylvania Guard and increasing the amount of allowances permitted for officers uniforms and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" as last amended by the act approved the third day of May one thousand nine hundred forty-three (P. L. 151) are hereby further amended to read as follows

An Act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania [State] Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States

Section 1 Organization of Pennsylvania [State] Guard Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency and for the defense of civil population against aircraft and gas attack which shall be known and designated as the Pennsylvania [State] Guard and shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or be threatened or a tumult riot or disaster shall threaten or exist

Section 2 Composition and Strength The Pennsylvania [State] Guard shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 3 Term of Service Whenever the Pennsylvania National Guard shall have been restored to state status and shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania [State] Guard shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same or component parts thereof shall be mustered out

Section 4 Location of Units The Governor shall designate the location of the several units and may change the same at any time Units shall be located so far as practicable in armory buildings owned by the Commonwealth

Section 5 Oath of Commissioned Officers Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ..... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office ..... in the Pennsylvania [State] Guard upon which I am about to enter"

Section 6 Age and Physical Requirements The Governor may by executive order prescribe from time to time the age limitations and physical qualifications which will govern the enlistments and commissions in the Pennsylvania [State] Guard but no person shall be refused enlistment or a commission or in any way be discriminted against in the administration of this act by reason of his race or color

Section 7 Enlistment Contract and Oath Every man enlisting in the Pennsylvania [State] Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this ..... 19.... as a soldier in the Pennsylvania [State] Guard for the period of the present war or other emergency unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the order of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 8 Pay Transportation Annual Encampment There shall be no pay for officers or enlisted men for armory drills In event of a call of any part of the Pennsylvania [State] Guard into active state duty the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard when on active state duty The Governor may in his dis-

cretion provide for an annual encampment of not to exceed fifteen (15) days training in any one year for the Pennsylvania [State] Guard during which period the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard

Section 9 Annual Allowance The Adjutant General shall have power and authority to make such annual allowances to organizations and headquarters of organizations as he may deem necessary Where an organization is in service for a fractional part of the fiscal year the allowance shall be reduced accordingly

Section 10 Uniforms Arms and Equipment The Governor shall have the authority and power to requisition from the War Department of the United States such arms and equipment as may be available for use of the Pennsylvania [State] Guard under the provisions of Public Resolution No. 874 the 76th Congress of the United States approved October 21 1940 and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania [State] Guard The Governor shall have further authority and power to make available for the use of the Pennsylvania [State] Guard such uniforms arms and equipment as may be owned by the Commonwealth or may be in possession of the Commonwealth for the purpose of such use In the absence of any provision of uniforms arms and equipment by the United States such uniforms arms and equipment may be prescribed by the Governor and provided at the cost of the Commonwealth

Section 11 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed [one hundred dollars ($100.00)] one hundred fifty dollars ($150.00) for each officer may be prescribed by the Governor and in addition thereto if found necessary the Governor may prescribe a further allowance not to exceed [thirty dollars ($30.00)] fifty dollars ($50.00) in any one year for each officer

Section 12 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsyvania [State] Guard except as modified or changed by the provisions of this act

Whenever the term "Pennsylvania Reserve Defense Corps" or "Pennsylvania State Guard" or "State Guard" occurs in any law or whenever in any law reference is made to the same such term or reference shall be deemed to refer to and include the Pennsylvania Guard

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hering,	Moran,	Stonier,
Coleman,	Hennihan,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 680, as follows:

An Act to further amend section one of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" as amended by eliminating the requirement that designations assigned by the Secretary of Highways shall be the official designations for all purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of

the traveling public any township road or roads" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 835) is hereby further amended to read as follows

Section 1 Be it enacted &c That the Secretary of Highways is hereby authorized to designate by letter or to name number or combine all State highways or any part or part sthereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth [and facilitate the keeping of maps and records of the Department of Highways Whenever the Secretary of Highways has designated any existing State highways or combinations thereof by letter name or number as herein provided such letter name or number shall be the official designation for all purposes]

Section 2 This act shall become effective upon its final approval

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 701, as follows:

An Act to amend section three of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 214) entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien providing for the payment of the cost of such acquisitions and making an appropriation" by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt interest and costs due the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 214) entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien providing for the payment of the cost of such acquisitions and making an appropriation" is hereby amended to read as follows

Section 3 Any property purchased under the provisions of this act shall be held until such time as the department board commission or officer who or which held the mortgage or was charged with the duty of collecting the money covered by the lien shall believe it advisable to dispose of the same except as hereafter provided in this section Thereupon such department board commission or officer may dispose of the property upon such terms and conditions as he or it may deem advisable and the Department of Justice may approve It shall be lawful to sell the property for cash or for part cash and a mortgage to run from the purchaser to the Commonwealth When the terms and conditions of such sale shall have been agreed upon and approved the Department of Justice is hereby authorized and directed to execute and deliver a deed or other appropriate document conveying or transferring the property Any such conveyance or transfer shall be free and clear of all liens and encumbrances in favor of the Commonwealth except the lien of a purchase money mortgage if any contemporaneously executed and delivered to the Commonwealth When property is purchased at said judicial sale in order to protect a lien of the Commonwealth acquired under section four of "The Support Law" the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) the Department of Justice is hereby authorized at its discretion to execute and deliver a deed or other appropriate document conveying or transferring the property to the former owner and judgment debtor upon payment of the debt interest and costs due the Commonwealth

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,

Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolanklewicz,	Petrosky,
Boles,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 726, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College to acquire a tract of land for the use of Millersville State Teachers College and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land consisting of approximately ten (10) acres together with any and all buildings thereon erected adjacent to the property of the Millersville State Teachers College and located east of High School Avenue and extending from the tract now owned by the Commonwealth of Pennsylvania to the tract owned by the Manor-Millersville School District being now a part of the farm owned by Harry S Warfel Millersville Pennsylvania in order to make such tract available for expanding industrial arts facilities and erecting a new boys dormitory and any other purpose for which the same can be adapted

Section 2 Said tract of land when purchased shall be added to the lands of the Millersvile State Teachers College The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies to rthe payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Rose,
Barton,	Gardner,	Matthews,	Robertson,
Baumunk,	Getchey,	McAtee,	Root,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 746 as follows:

An Act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to commemorate the heroic achievements of the citizens of Pennsylvania who served on the battlefields of Europe and to perpetuate the memories of those who fell in the World War there is hereby appropriated to the commission hereinafter constituted the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary for the compilation and the printing in book form of the history of the Eightieth Division

A commission is hereby constituted which shall be composed of five (5) citizens who were former Pennsylvania soldiers and who served with the Eightieth Division during the war with Germany The members of the commission shall be appointed by the Governor They shall serve without compensation but shall receive their actual and necessary expenses incurred in the performance of the duties imposed upon them by this act The commission shall organize at the call of the Governor Vacancies occurring in the membership of the commission shall be filled by appointment by the Governor Any member so appointed shall have the same qualifications as is required of the original appointees

Section 2 It shall be the duty of the commission after its organization to forthwith make arrangements for the preparation of the history and the furnishing of photographs with accompanying maps and shall then make a complete report of its proceeding to the General Assembly as soon as possible In such report the commission shall state the amount of money required to print and furnish each citizen who served as a member of the Eightieth Division with a copy of the history in book form

Payments from said appropriation shall be made by requisition of the secretary of the commission under such regulations as the Auditor General shall prescribe

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider
Brunner, P. A.,	Hare,	Modell,	Snyder
Burns,	Haudenshield,	Mooney,	Sol
Cadwalader,	Heatherington,	Moore, C. E.,	S
Chudoff,	Helm,	Moore, W. J.,	St
Cohen,	Hennihan,	Moran,	St
Coleman,	Hering,	Moser,	St
Cook	Hersch,	Munley,	Sw
Cooper,	Hewitt,	Murray, M. L.,	Tal
Costa,	Hoffman,	Murray, P. G.,	Tal
Coulson,	Hoopes,	Myhan,	Titt
Coyle,	Howells,	Nagel,	Trachtman
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bil No. 197, Printer's No. 233

Senate Bill No. 57, Printer' [illegible] 56 and

Senate Bill No. 687, Print [illegible] 576

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 417, as follows:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park

Whereas Admiral Robert Edwin Peary the great Arctic explorer and discoverer of the North Pole was born at Cresson in Cambria County Pennsylvania and it is proper

that the achievements of his illustrious career be fittingly commemorated by his native State therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical Commission is hereby authorized to acquire by gift from the Historical Society of Cambria County a tract of land in Cresson Township Cambria County Pennsylvania at the intersection of the William Penn Highway with State highway traffic route number 45 containing an area of about four and twelve one-hundredths (4.12) acres the same being the birthplace of Admiral Peary and to improve grade plant develop and maintain said tract of land as a permanent memorial park for the benefit of the people of this Commonwealth to be known as the Admiral Peary Memorial Park

Section 2 The property so acquired shall never be used for any purpose other than for a park surrounding a proposed monument to be erected as a memorial to Admiral Peary The proposed monument shall be in such form as shall be approved by the State Art Commission and no other building except a tool house for the keeping of tools and implements used on the premises shall be erected on said property The property shall be maintained as a wooded area planted with trees as an ornamental background to the Admiral Peary monument No driveways shall be laid out over the premises

Section 3 The Pennsylvania Historical Commission shall have full control management and supervision of the property and shall have power to adopt and carry into effect plans for the restoration improvement and maintenance of the park and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public

Section 4 The sum of one hundred dollars ($100) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical Commission for the maintenance of said property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Skale,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tate,
Coulson,	Hoopes,	Myhan,	Tittle,
Coyle,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent,
Dague,	Huntley,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, L. H.,
Ewing,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Levy,	Reagan,	Worley,
Flack,	Lichtenwalter,	Reese, D. P.,	Wright,
Fleming,	Loftus,	Reese, R. E.,	Yeakel,
Foor,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—16

Bentley,	Fox,	Kolankiewicz,	Petrosky,
Boies,	Herman,	Madden,	Regan,
Chervenak,	Hoggard,	Milliken,	Trout,
Corrigan,	James,	Pentrack,	Wagner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE REPORTS

Mr. ELDER from the Committee on Judiciary Special reported as committed Senate Bill No. 612, entitled:

An Act to repeal the act approved the first day of December one thousand nine hundred thirty-eight (P. L. 109) entitled "A supplement to the act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws 30) entitled 'An act to authorize changes and venue in criminal cases' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor"

Mr. MOSER from the Committee on State Government reported as committed Senate Bill No. 87, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 141), entitled "An act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances; requiring the keeping of records and the making of reports; and providing penalties," extending the effective period thereof.

Mr. COHEN from the Committee on Appropriations reported as committed Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes.

Mr. FLACK from the Committee on State Government reported as committed Senate Bill No. 116, entitled:

An Act to further amend sections one eleven and twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes

defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and imposing further powers and duties upon the retirement board prescribing the rights and liabilities of withdrawing contributors and of disability annuitants

Mr. WATKINS from the Committee on Municipal Corporations reported as committed Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of municipal claims filed as a lien against real estate, in compromise settlements thereof.

Mr. HEWITT from the Committee on Appropriations reported as committed Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instructon to promote highway safety education.

Mr. McCLESTER from the Committee on Banking reproted as committed Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such defaults and violations and fixing penalties.

Mr. MILLER from the Committee on Professional Licensure reported as committed Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws.

Mr. BOWER from the Committee on State Government reported as committed Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boat operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters.

Mr. KRISE from the Committee on Professional Licensure reported as committed Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled " An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

Mr. BOWER from the Committee on State Government reported as committed Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended " An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cties wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 752, entitled:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Asistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and position of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the

care of the poor and repealing existing laws" by empowering institution districts to receive and maintain chronic mental patients confined in State mental hospitals or other institutions providing for the reimbursement by the Department of Welfare for the cost of maintaining such persons.

Mr. TATE from the Committee on State Government reported as committed Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the city of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by the United Nations and ceding jurisdiction to the United States.

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LEVY. I would like to know, Mr. Speaker, whether these bills being reported from the Committee are being reported and unanimous consent asked to have them read for the first time.

The SPEAKER pro tempore. No bills have been read as yet. The reading of bills for the first time will require unanimous consent or suspension of the rules.

QUESTION OF INFORMATION

Mr. SKALE. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SKALE. Mr. Speaker, the gentleman who reported out of committee Senate Bill No. 612 asked to have the bill read for the first time. I would like to know whether the bill received first reading?

The SPEAKER pro tempore. No bill has received first reading. It will require unanimous consent or suspension of the Rules to read for the first time bills reported from Committee as committed.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LEVY. The gentleman from Philadelphia, Mr. Skale, asked a similar question to that which I asked a few minutes before.

The SPEAKER pro tempore. And received a similar answer.

Mr. LEVY. Yes. I just want to get an explanation as to the answer. The Chair stated that the bill would be read for the first time if unanimous consent is granted—

The SPEAKER pro tempore. Or the Rules suspended.

Mr. LEVY. Suspension of the Rules of what?

The SPEAKER pro tempore. Suspension of the Rules of the House.

Mr. LEVY. What rules do we suspend when we ask unanimous consent to have a bill read for the first time? Do the rules of the House conform with the Constitution and Laws of the Commonwealths?

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Cohen, for presiding.

Mr. LEVY. Mr. Speaker, I was on the floor prior in a discussion with the acting Speaker and the Parliamentarian on a parliamentary question, I believe.

I have not as yet received an answer as to whether the Parliamentarian has rendered an opinion or not. I asked a question.

The SPEAKER. Will the gentleman please repeat the question?

Mr. LEVY. Mr. Speaker, the question of parliamentary inquiry was raised regarding bills being reported out of Committee and a request made for unanimous consent to have them read for the first time. We know that it requires unanimous consent, and there is a ruling of the Chair that if not unanimous consent there may be a suspension of the Rules. My inquiry then was as to what Rule of the House must be suspended.

The SPEAKER. Rule 41 and Rule 14.

Mr. LEVY. Mr. Speaker, do you have reference to House Rule 14?

The SPEAKER. Rule 14 fixes the daily order of business. We have gone beyond the order of business of reading bills for the first time, therefore, Rule 14 would have to be suspended in order to read bills for the first time. Also Rule 41, which requires us to have a Calendar.

Mr. ANDREWS. Mr. Speaker, perhaps if the Chair would hear me it might clarify things.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Our objection, Mr. Speaker, is not to the first reading of the bills that we know something about; it is to the first reading of bills that we know nothing about. If we could see the bills or if the bills as they are presented for reading the first time, if someone would explain to the House what that bill is and enable any Member of the House to object as to whether it would be acceptable or not, that would be quite satisfactory, but it is an incongruous performance at this time to read bills for the first time when frankly it would be the easiest way to kill them. We might well take that opportunity now on objectionable bills.

The SPEAKER. The Chair would inform the Minority Leader that we have agreed not to read bills until they are satisfactory to both the minority and the majority. That has been the agreement, and that agreement will be carried out.

The Chair requests the Majority and the Minority Leaders, the Majority and Minority Whips to examine the bills before there is any first reading of them. There have been no bills read for the first time tonight.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 112.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College to acquire

a certain tract of land for the use of said school and making an appropriation therefor

HOUSE BILL No. 176.

An Act to add sections eight point one and eight point two to the act approved the thirtieth day of March one thousand nine hundred three (P. L. 106) entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" by fixing the interests of the various taxing authorities having taxes or claims against property sold under the provisions of said act by the treasurer of any city of the second class and providing for the distribution of moneys received as income from or resale of any such property purchased by the city at such tax sale

HOUSE BILL No. 419.

An Act to amend the act approved the first day of June one thousand nine hundred forty-three (Appropriation Acts page 45) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two" increasing the appropriation for the construction of certain bridges

HOUSE BILL No. 639.

An Act to amend section four of the act approved the first day fo June one thousand nine hundred thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waiving under certain conditions where no damages are payable vertical or lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth

HOUSE BILL No. 671.

An Act to amend section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled " An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring milk dealers to give daily reports of milk delivered by milk producers

HOUSE BILL No. 805.

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties

HOUSE BILL No. 807.

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P L. 343) entitled " An act relating to the finances for the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes eliminating provisions for an Attorney Generals commission and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court

HOUSE BILL No. 842.

An Act authorizing cities boroughs towns and townships to establish veterans service centers and to expend money therefor and for the operation and maintenance thereof

HOUSE BILL No. 873.

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capitol stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" providing for the termination of memberships for filing summaries of audits for involuntary winding up and dissolution of associations failing to file such summaries exempting associations from payment of certain State taxes and the filing of reports relative thereto and imposing penalties

HOUSE BILL No. 1062.

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by giving trustees the right to hold certain real estate under certain conditions

HOUSE BILL No. 1068.

An Act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said Board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation

HOUSE BILL No. 1104.

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion providing for the organization of the various counties into soil conservation districts the appointment of their officers and employes and prescribing their powers and duties creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto providing for disposition and operation of existing districts and repealing existing laws

HOUSE BILL No. 1175.

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

HOUSE BILL No. 1250.

An Act providing a uniform method for taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city county township incorporated town or borough

RESOLUTIONS

PURCHASING HOME OF CALEB PUSEY

Mr. MILLIKEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 3, 1945.

Whereas, William Penn, the founder and first governor of this Commonwealth, spent a large part of his time in visiting with his close and intimate friend, Caleb Pusey, in what is now Upland Borough, Delaware County; and

Whereas, the old stone home of Caleb Pusey was built approximately at the time of the arrival of William Penn; and

Whereas, it is deemed fitting by this body that the Pennsylvania Post-War Planning Commission should, by and with the advice of the Pennsylvania Historical Commission, investigate, study and report to this body as to the possibility of its purchasing this outstanding landmark, and having the Pennsylvania Historical Commission maintain it as a historical shrine; and

Whereas, as it is the only contemporary building of that period in that region;

Resolved: That a copy of this resolution shall be forwarded by the Chief Clerk of the House of Representatives of the General Assembly to the Pennsylvania Post-War Planning Commission and the Pennsylvania Historical Commission.

Mr. ENGLISH offered a resolution which was filed with the Clerk.

EULOGY

The SPEAKER. The Chair has been handed a gem of literature that he would like read to the House written by Milton Burgess, a member of the press. I know you will agree that it is also a gem of American literature.

> The series of stellar performances of Mr. Bernard Steinfelt, Clerk of the Senate, in the current session of this House, have been a triumph in the Thespian art.
>
> Mr. Steinfelt speaks but one line:
>
> "Mr. Speaker. Extracts from the Journal of the Senate."
>
> Into this line he has infused the complete range of human emotion.
>
> His voice has the deep rolling timbre of a great organ blended with the soft overtones of whispering raindrops.
>
> His interpretation varys with the mood.
>
> When kept waiting in the well of the House, his voice expresses the righteous indignation approached to a degree by Robert Montell in playing King Lear, driven from the halls of his palace by ungrateful and inattentive children.
>
> When not given proper attention by the representatives, his philosophical contemplation of vanities of this world exceeds the best effort of Walter Hampden in the portrayal of Hamlet, the melancholy prince of Denmark.
>
> If received with proper respect, as he has been repeatedly in his more recent appearances, he interprets in his own incomparable way the kingly role in Richard III.

As the session nears a close, his appearances are eagerly awaited in the House, a delight to the intellect and the emotions of the audience.

BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three, (P. L. 141), entitled "An act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances; requiring the keeping of records and the making of reports; and providing penalties," extending the effective period thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education and regulating private trade schools and classes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. FREED. Mr. Speaker, are any of these bills amended that are being considered and read for the first time?

The SPEAKER. At no time have amended bills been read for the first time, and none will be read.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 116, entitled:

An Act to further amend sections one eleven and twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and imposing further powers and duties upon the retirement board prescribing the rights and liabilities of withdrawing contributors and of disability annuitants

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of municipal claims filed as a lien against real estate in compromise settlements thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PARLIAMENTARY INQUIRY

Mr. MODELL. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MODELL. Mr. Speaker, are you now reading bills for the first time?

The SPEAKER. We are reading bills for the first time.

Mr. MODELL. Mr. Speaker, will the Chair first announce the number of the bill so that we may look it up and find out whether there is objection to reading these bills by others than the Leaders of the parties?

The SPEAKER. The numbers of bills have been and will continue to be announced.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. SKALE. I object, Mr. Speaker, to Senate Bill 612 being read the first time.

The SPEAKER. Bills objected to will not be read.

Mr. ERB. Mr. Speaker, would you be kind enough to give us the last Printer's number of these bills also? It is very confusing otherwise.

The SPEAKER. Senate Bill 612, Printer's No. 490.

Mr. ANDREWS. Mr. Speaker, I want to record my objection to the consideration, if anyone objects, of bills carrying the Senate Printer's number that have not been reprinted for the use of the House and that are not on the calendar. They are not properly in the possession of the House until they are on the calendar, until they have been printed and brought to the House with the House Printer's Number.

Mr. ERB. Mr. Speaker, Printer's Number 490 is not on file.

The SPEAKER. None of these bills are in the House file.

Mr. ERB. The last Printer's Number ought to be on file.

The SPEAKER. The Chair would inform the gentleman that all of these bills are in the Senate file.

Mr. ANDREWS. Mr. Speaker, the bills may be in the Senate file but the Senate file is simply a convenience. It is not the House file; the bill is not in the proper custody of the House until it has a House number.

The SPEAKER. A Senate bill has a Senate Printer's Number not a House Printer's Number. The Senate file gives all the necessary information.

Mr. ANDREWS. The two bills, Mr. Speaker, I suggest that you read them and let the gentleman record his objection. Personally I have no objection to the bills now in controversy. I would suggest therefore that the objection be withdrawn and permit the bill to be read for the first time. However, the gentleman is entitled to object to having it read for the first time if he so desires. There was one bill reported today that I shall object to.

Mr. ERB. Mr. Speaker, I withdraw my objection. It is on file in the back of the book.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boat operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. SHAFFER. Mr. Speaker, Senate Bill No. 719, Printer's No. 554, is not on file and I would like it passed temporarily so I may have an opportunity to check it.

The SPEAKER. The Chair would inform the gentleman that all these bills have been placed on the Members desks.

Mr. SHAFFER. Amendments were made to this bill.

The SPEAKER. This bill was reported from Committee as committed, and amended bills will not be read.

Mr. SHAFFER. There were amendments placed in the bill in the Senate.

The SPEAKER. These bills were all reported as committed.

Mr. SHAFFER. I am informed it was amended in the Senate on third reading. I am not sure and I would like to have a little time to check.

The SPEAKER. Does the gentleman object to reading to this bill?

Mr. SHAFFER. I object momentarily, Mr. Speaker.

The SPEAKER. The bill will not be read.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 752, entitled:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and position of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by empowering institution districts to receive and maintain chronic mental patients confined in State mental hospitals or other institutions providing for the reimbursement by the Department of Welfare for the cost of maintaining such persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the city of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by the United Nations and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. SKALE. I object for the time being to reading Senate Bill No. 548, Printer's No. 435, Mr. Speaker.

The SPEAKER. The bill will not be read.

Is the gentleman from Allegheny clear on Senate Bill 719?

Mr. SHAFFER. Mr. Speaker, I desire to withdraw my objections at this time to Senate Bill 719.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institution for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER. Do the objections still remain to reading Senate Bill 548, and does the gentleman from Philadelphia, Mr. Skale, still object to reading Senate Bill 612?

Mr. SKALE. I still object to that, Mr. Speaker.

The SPEAKER. And also Senate Bill 548?

Mr. SKALE. I still object to that, Mr. Speaker.

Mr. LEONARD. May I inquire the status of Senate Bill 716, Mr. Speaker.

The SPEAKER. Senate Bill 716 has not been read.

QUESTION OF INFORMATION

Mr. ROSE. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. ROSE. Has House Bill 1022 been reported out?

The SPEAKER. The Chair has been informed that House Bill 1022 has not been reported from Committee today.

PARLIAMENTARY INQUIRY

Mr. SORG. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SORG. Mr. Speaker, is there still objection to the reading of Senate Bill No. 548, Printer's No. 435, for the first time?

The SPEAKER. There is still objection.

QUESTION OF INFORMATION

Mr. FREED. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. FREED. Is that an amended bill, Mr. Speaker?

The SPEAKER. The bill was reported out of committee as committed.

Mr. FREED. Is the bill on file and does it have a Printer's Number?

The SPEAKER. Printer's No. 435.

MOTION TO SUSPEND RULES

Mr. SORG. Mr. Speaker, I move that House Rule 14, House Rule 41 and that part of House Rule 43 which pertains to the calendar be suspended for the specific purpose of considering Senate Bill 548, Printer's No. 435 and having read it for the first time.

On the question,

Will the House agree to the motion?

Mr. LEVY. Mr. Speaker, do I understand that the motion made by the gentleman from Elk, Mr. Sorg, merely pertains to Senate Bill No. 548 as reported from the Committee on Banking?

The SPEAKER. That is correct.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LEVY. Mr. Speaker, a few moments ago the Chair referred to rule 41 of the House stating that a motion such as the one now made by the gentleman from Elk, Mr. Sorg, is in order.

Mr. Speaker, I would refer you to House Rule 35, and I will read it as follows:

> No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the Members as required by the Constitution, Article III, Section 2.

The SPEAKER. Every provision of that Rule has been complied with.

Mr. LEVY. Mr. Speaker, I agree with the ruling relative to the first two requisites, but as for the printing for the use of the Members I insist that the bills are not printed in House form and therefore should not be allowed under Article III, Section 2 of the Constitution.

The SPEAKER. The Chair would refer the gentleman to the constitutional process under House Rule No. 42.

> Every bill and joint resolution shall be read at length on three different days. All amendments made thereto shall be printed for the use of the Members before the final vote is taken thereon and no bill shall become law and no such resolution be adopted unless, on its final passage, the vote be taken by yeas and nays. The names of the persons voting for and against the same shall be entered on the Journal, and a majority of the Members elected be recorded thereon as voting in its favor, as required by the Constitution, Article III, Section 4.

This bill has been printed for the use of the Members.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a parliamentary inquiry.

Mr. SPEAKER. The gentleman will state it.

Mr. LEVY. Mr. Speaker, is it not a fact that for a bill to be printed for the use of the Members it must be a House printed bill or a House reprint

The SPEAKER. The answer is no. The only time it becomes necessary for the House to reprint a Senate bill is when the House amends or changes it.

Mr. LEVY. I am not referring to a reprint, Mr. Speaker. Particularly I am referring to a bill for the use of the Members. Has it been a custom of the House that a bill be read to the House without the House printed bill lying on the Members' tables and read as a Senate rather than a House print?

The SPEAKER. This is a Senate bill, printed by the Senate. It is sent to the House for concurrence. The bill was not introduced in the House, and is properly in print.

Mr. LEVY. Mr. Speaker, I don't know whether it is the lateness of the hour, but I feel that the Chair has not answered the question in point.

The SPEAKER. Will this statement clear the question in the gentleman's mind? A Senate Bill is not reprinted by the House unless the House amends it.

Mr. LEVY. No, it does not, Mr. Speaker.

The SPEAKER. That has been the procedure since the Speaker has been a Member of the House, and the Chair is certain since the gentleman from Philadelphia has been a Member, and for many years before that.

Mr. LEVY. Mr. Speaker, do I understand then that in conformity to Article III, Section 2 of the Constitution it has been regarded that a Senate print is the correct print as outlined in the Constitution under "Bills shall be printed for the use of the Members in the House?"

The SPEAKER. That is correct. That has always been the practice.

Mr. LEVY. I think you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

On a rising vote ninety-seven Members having voted in the affirmative and sixty-five in the negative the question was determined in the negative and the motion was not agreed to.

RULES SUSPENDED

Mr. McATEE. Mr. Speaker, I move that House Rules 14, 41 and that part of Rule 43 pertaining to the calendar, be suspended for the specific purpose of reading Senate Bill No. 618 for the first time.

On the question,

Will the House agree to the motion?

On a rising vote one hundred six Members having voted in the affirmative and forty-seven in the negative, the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 618 entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

MOTION TO SUSPEND RULES

Mr. REILLY. Mr. Speaker, I move that House Rules 14 and 41 and that part of House Rule 43 that pertains to the calendar be suspended for the specific purpose of having read for the first time Senate Bill No. 716, Printer's No. 478.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I think the Membership of the House should understand that Senate Bill No. 716 is the bill designed to hamstring rural electric cooperatives, and I would ask for a roll call on this motion.

The yeas and nays were required by Mr. Andrews and Mr. McMillen.

Messrs. Levy, Rose and Nagel asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—96

Barton,	Getchey,	Madden,	Robertson,
Boorse,	Gibson,	Mahany,	Root,
Bower,	Green,	McClester,	Royer,
Brice,	Greer,	McCormack,	Salus,
Brunner, C. H.,	Guthrie,	McDowell,	Scanlon,
Burns,	Gyger,	Mikula,	Shoemaker,
Cook,	Hall,	Milliken,	Smith,
Costa,	Haudenshield,	Moore, W. J.,	Sollenberger,
Coyle,	Helm,	Moser,	Sorg,
Dague,	Hennihan,	Munley,	Stonier,
Dalrymple,	Hering,	Murray, P. G.,	Stuart,
Dix,	Hersch,	Myhan,	Tate,
Duffy,	Howells,	O'Brien,	Tittle,
Dye,	Huntley,	O'Dare,	Trachtman,
Elder,	James,	O'Neill,	Turner,
Ewing,	Kline,	Pettigrew,	Varallo,
Finnerty,	Komorofski,	Pickens,	Wachhaus,
Flack,	Krise,	Propert,	Waterhouse,
Fleming,	Laughner,	Reese, D. P.,	Watkins,
Foor,	Lee,	Reese, R. E.,	White,
Freed,	Leisey,	Regan,	Wood, L. H.,
Frost,	Lichtenwalter,	Reidenbach,	Wood, N.,
Gallagher,	Loftus,	Reilly,	Yeakel,
Gardner,	Lyons,	Riley,	Fiss, Speaker.

NAYS—65

Andrews,	Gaffney,	Madigan,	Polaski,
Baker,	Goodling,	McAtee,	Powers,
Baumunk,	Gore,	McLanahan,	Reynolds,
Bentzel,	Grant,	McMillen,	Rose,
Boney,	Greenwood,	McNair,	Rudisill,
Boory,	Haberlen,	McNally,	Shaffer,
Brancato,	Hamilton,	Mihm,	Skale,
Brunner, P. A.,	Hare,	Miller,	Snider,
Chudoff,	Hunter,	Modell,	Snyder,
Cohen,	Jones,	Mooney,	Stank,
Coleman,	Kirley,	Moore, C. E.,	Swope,
Cullen,	Kurtz,	Moran,	Verona,
Dillon,	Leonard,	Nagel,	Wagner,
Dougherty,	Levy,	O'Donnell,	Weiss,
Elish,	Longo,	Owens,	Worley,
Erb,	Lopez,	Petrosky,	Yester,
Fullerton,	Lovett,		

NOT VOTING—44

Barrett,	Coulson,	Kolankiewicz,	Reagan,
Bentley,	Dennison,	Lane,	Schuster,
Boies,	Depuy,	Matthews,	Serrill,
Bonawitz,	Fox,	McKinney,	Sloan,
Breisch,	Heatherington,	Mills,	Tahl,
Brothers,	Herman,	Murray, M. L.,	Trent,
Brown,	Hewitt,	Nelson,	Trout,
Cadwalader,	Hoffman,	O'Connor,	Turbett,
Chervenak,	Hoggard,	Pentrack,	Welsh,
Cooper,	Hoopes,	Polen,	Wescott,
Corrigan,	Kennedy,	Readinger,	Wright,

So the question was determined in the negative and the motion was not agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 692 entitled:

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, were it not for the lateness of the hour, so firmly convinced are we that the ruling of the Chair

in respect to the decision he made regarding first reading bills is in error, that in order to establish a precedent we would have appealed from the decision of the Chair, but owing to the lateness of the hour we will thrash the parliamentary point out at some other time. It was not with any idea of interfering with or stopping the proceedings tonight that we would have appealed, but we think it is a point that should be debated at a proper time, because we believe the Chair is clearly in error.

PERMISSION TO ADDRESS HOUSE

Mr. CHUDOFF asked and obtained unanimous consent to address the House.

Mr. Speaker, I had thought before adjournment today to make a short statement, followed by a very important motion, but since the Membership of the House has taken enough punishment today and are rather anxious to get to your luncheon, I would like an opportunity to make my motion some time early tomorrow, and ask that I be given a special time.

The SPEAKER. The Chair is unable to do that. That is within the power of the House.

Mr. CHUDOFF. I feel, Mr. Speaker, that what I have to offer is very important, and I am trying to conserve the time of the House in offering it. However, if I cannot get any cooperation from the Chair and the House, I will move that tomorrow at 2:00 o'clock we make a special order of business to discharge the Committee on Constitutional Amendments on House Bill No. 132.

The SPEAKER. The gentleman will be recognized tomorrow under the proper order of business. It is not within the power of the Chair to grant any special privilege concerning time or order of business.

Mr. CHUDOFF. Mr. Speaker, I had a discussion about this with the Parliamentarian, and he promised to give me an opportunity tonight to do this. Now, I do not want to be pushed around, and I want that understood.

The SPEAKER. The Chair would inform the gentleman that we have been more than patient. The Parliamentarian has the memorandum but because of the lateness of the hour it was thought that the motion to discharge the committee could be made tomorrow. The gentleman will be recognized under the proper order of business.

Mr. CHUDOFF. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, will the Chair inform me as to the proper motion to make in order that Senate Bill No. 548 may be read for the first time?

The SPEAKER. If the House will give its unanimous consent the bill may be read.

Mr. ANDREWS. Mr. Speaker, the objections, I understand, are withdrawn.

The SPEAKER. The Chair hearing no objection the bill will be read.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violation and fixing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GIBSON. Mr. Speaker, I move that this House do now adjourn until Friday, May 4, 1945, at 1 p. m.

The motion was agreed to, and (at 1:50 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

FRIDAY, May 4, 1945.

The Senate met at 2:00 oclock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

God and Father of all men, we stand before Thee in prayerful attitude. May our hearts' desire be to worship Thee in sincerity. The prayer of faith in the reality of God, of God's goodness and mercy and God's concern for the welfare of His children must be ours if our prayer is acceptable to Thee. Surely we have no reason to doubt this for Thou hast been good to us as a nation and as individuals, blessing us beyond the measure accorded to any other people. To fail in offering our grateful prayer would convict us of the sin of ingratitude.

Each one of us here is a witness to the fact of God and of God's care. May we give our testimony in lives of service to others, sharing our plenty with the world's needy, thus learning that "it is more blessed to give than to receive."

We pray that divine guidance be given to the Conference of the Nations, and that the delegates of all nations follow the Guide until peace for the world is assured.

We pray for our soldiers, sailors and air-men, for doctors and nurses, chaplains and Red Cross workers, and for all prisoners of war; for President Truman and all in authority. May God sustain all until complete victory comes.

We pray in the name of the conquering Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. TYLER, the further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT, RECALLED BY THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on May 3, 1945, for the appointment of Joseph G. Berry, Brownsville, Fayette County, as Register of Wills and ex-officio Clerk of the Orphans' Court in and for the County of Fayette, vice Bruce F. Sterling, deceased.

The nomination is recalled for the purpose of correcting the term of Mr. Berry's appointment.

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT COUNTY OF FAYETTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph G. Berry, 301 Catherine Avenue, Brownsville, Fayette County, for appointment as Register of Wills and ex-officio Clerk of the Orphans' Court in and for the County of Fayette, to serve until the first Monday of January, 1948, vice Bruce F. Sterling, deceased.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Ashland State Hospital, for terms of four years, and until their successors are qualified:

Elmery McSurdy, Buck Run, Schuylkill County. (Reappointment).

Charles Rice, Gordon, Schuylkill County. (Reappointment).

John Barrett, Pottsville, Schuylkill County. (Reappointment).

Allen Glick, R. D. 1, Ashland, Schuylkill County, vice Andrew Wolfgang, Lavelle, deceased.

Archibald Payne, Ashland, Schuylkill County, vice J. L. Hoffman, Ashland, deceased.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Coaldale State Hospital, for terms of four years, and until their successors are qualified:

Arthur Snyder, Tamaqua, Schuylkill County. (Reappointment).

William Clements, Coaldale, Schuylkill County. (Reappointment).

John West, Tamaqua, Schuylkill County. (Reappointment).

Edward Fox, Mahantongo Street, Pottsville, Schuylkill County, vice Mrs. Maude Boltz, whose term expired.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 671

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "Milk Control Law," by requiring milk dealers to give daily reports of milk delivered by milk producers.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1104

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1104, entitled:

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion providing for the organization of the various counties into soil conservation districts the appointment of their officers and employes and prescribing their powers and duties creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto providing for disposition and operation of existing districts and repealing existing laws

HOUSE RECEDES FROM ITS NON-CONCURRENCE TO SENATE AMENDMENTS TO HOUSE BILL No. 805

He also informed the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 805, entitled:

An Act to amend Artcile VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

and that the House of Representatives concurs in the amendments.

HOUSE CONCURS IN SENATE BILL No. 3

He also returned to the Senate, Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 4

He also returned to the Senate, Senate Bill No. 4, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 9

He also returned to the Senate, Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 10

He also returned to the Senate, Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured, and dependent relatives, members of families, and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 16

He also returned to the Senate, Senate Bill No. 16, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 17

He also returned to the Senate, Senate Bill No. 17, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 22

He also returned to the Senate, Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 29

He also returned to the Senate, Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 32

He also returned to the Senate, Senate Bill No. 32, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase, condemnation or gift, the construction and equipment and furnishing of any buildings, and the alteration, removal, remodeling or replacing of existing buildings, to be used for barracks and training facilities for the Pennsylvania State Police.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 42

He also returned to the Senate, Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 43

He also returned to the Senate, Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 49

He also returned to the Senate, Senate Bill No. 49, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 51

He also returned to the Senate, Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement system with respect to State employes receiving compensation from the Manufacturing Fund.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 54

He also returned to the Senate, Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 60

He also returned to the Senate, Senate Bill No. 60, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 64

He also returned to the Senate, Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 67

He also returned to the Senate, Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 73

He also returned to the Senate, Senate Bill No. 73, entitled:

An Act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings; for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap; for post-war repairs to monuments in France and Belgium; and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 90

He also returned to the Senate, Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 101

He also returned to the Senate, Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 111

He also returned to the Senate, Senate Bill No. 111, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries, for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 165

He also returned to the Senate, Senate Bill No. 165, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 166

He also returned to the Senate, Senate Bill No. 166, entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 180

He also returned to the Senate, Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania, for the purpose of replacing and renewing certain equipment and machinery.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 208

He also returned to the Senate, Senate Bill No. 208, entitled:

An Act to further amend Section one of the act approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by modifying the procedure for the collection and payment of the tax.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 209

He also returned to the Senate, Senate Bill No. 209, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section

twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 219

He also returned to the Senate, Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war record of the Commonwealth of Pennsylvania, authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary, and making an appropriation therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 294

He also returned to the Senate, Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 446

He also returned to the Senate, Senate Bill No. 446, entitled:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 448

He also returned to the Senate, Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of California State Teachers' College to acquire a tract of land for the use of California State Teachers' College and making an appropriation therefor

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 480

He also returned to the Senate, Senate Bill No. 480, entitled:

An Act making an appropriation to the Pennsylvania Historical Commisssion for the furnishing of "Pennsbury Memorial."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 536

He also returned to the Senate, Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters, with the approval of the Governor to acquire certain tracts of land for the use of said department, and making an appropriation therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 643

He also returned to the Senate, Senate Bill No. 643, entitled:

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 646,

He also returned to the Senate, Senate Bill No. 646, entitled:

An Act re-appropriating for additional purposes, moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 652

He also returned to the Senate, Senate Bill No. 652, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard"; extending the provisions thereof to the Pennsylvania State Guard; and making changes with respect to advance in grade of retiring officers and enlisted men.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 653

He also returned to the Senate, Senate Bill No. 653, entitled:

An Act to amend the act, approved the sixteenth day of March, one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select, procure, furnish, and award certain decorations, medals, and badges," providing for additional decorations, medals, and badges; and changing the procedure for awarding the same.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 666

He also returned to the Senate, Senate Bill No. 666, entitled:

An Act to further amend the title, and sections one to twelve both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania, or any part thereof, shall be in active service of the United States," by changing the name of the Pennsylvania State Guard to Pennsylvania Guard; and increasing the amount of allowances permitted for officers' uniforms and equipment

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 680

He also returned to the Senate, Senate Bill No. 680, entitled:

An Act to further amend section one of the act, approved the twentieth day of April, one thousand nine hundred and twenty-seven (P. L. 321), entitled "An act authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or any part or parts thereof, in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways; and to include, in any route designated for the convenience of the traveling public, any township road or roads," as amended, by eliminating the requirement that designations assigned by the Secretary of Highways shall be the official designations for all purposes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 701

He also returned to the Senate, Senate Bill No. 701, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 214) entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien providing for the payment of the cost of such acquisitions and making an appropriation" by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt interest and costs due the Commonwealth

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 726

He also returned to the Senate, Senate Bill No. 726, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College to acquire a tract of land for the use of Millersville State Teachers College and making an appropriation therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 746

He also returned to the Senate, Senate Bill No. 746, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

with the information that the House has passed the same without amendments.

The PRESIDING OFFICER (Edwin S. Bowers) in the Chair.

SENATE BILL No. 102 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 385 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 385, entitled:

An Act to amend paragraph two of subdivision (b), and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance

carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 483 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 577 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation of big game requiring report of such killing and providing penalties

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 616 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 616, entitled:

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 656 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 656, entitled:

An Act to amend clause (a) of section three hundred one, clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employers' rights of subrogation; adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 657 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 657, entitled:

An Act to further amend clauses (a), (b), (c), (f) and (h) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employers' right of subrogation, adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 658 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 658, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered

by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 684 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 684, entitled:

An Act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year as returned by it to the Federal Government for income tax purposes and ratifying contributions heretofore made

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 718 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 718, entitled:

An Act to add section three hundred six and one-tenth to the act approved the twenty--first day of June one thousand nine hundred thirty-nine (P. L. 520) entitled "An act to further reenact and amend the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' changing maximum and minimum rates periods total amounts and aggregate of compensation changing the system of computation of wages for compensation purposes changing practice and rules of evidence defining earning power after accident authorizing the board to terminate compensation in certain cases changing the classes of dependents entitled to compensation in case of death increasing powers and duties of the board and imposing additional penalties authorizing the department the board and the referees to approve compromise agreements in certain cases and generally amending clarifying and changing the provisions of said act" providing for payment in second injury cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

RESOLUTION

URGING THAT THE FAIRMOUNT PARK COMMISSION OF PHILADELPHIA PLACE MEMORIAL HALL AT THE DISPOSAL OF THE AUTHORITIES OF TEMPLE UNIVERSITY

Mr. STIEFEL offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 4, 1945.

Whereas the ever-expanding services of Temple University to the City of Brotherly Love, to the Commonwealth of Pennsylvania and to the Nation, have overtaxed the capacity of the towering buildings of that great seat of learning erected on "Acres of Diamonds" and

Whereas the Fairmount Park Commission of Philadelphia owns the Memorial all located in the Fairmount Park, Philadelphia, now in use as a storage for paintings and other objects of Art, which are being gradually transferred to the Philadelphia Museum of Art, and

Whereas the aforesaid spacious Memorial Hall with its sylvan setting can admirably house some of the undergraduate departments of Temple University, now therefore be it

Resolved that the Senate of the General Assembly of Pennsylvania urge the Fairmount Park Commission of Philadelphia to place the aforesaid Memorial Hall at the disposal of the authorities of Temple University as soon as said Memorial Hall will be vacated.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 4, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Charles W. Lynam, Pittsburgh, Gulf Bldg.

CUMBERLAND COUNTY

William Emenheiser, East Pennsboro Twp., 125 Cola Rd., Enola.

PHILADELPHIA COUNTY

Frederick H. Bickert, Phila., 1908 W. Girard Ave.
Miss Irma A. Mullen, Phila., 6613 Ridge Ave.
Hyman J. Orloff, Phila., 4008 Lancaster Ave.
Thomas H. Young, Phila., 100 S. Broad St.

WESTMORELAND COUNTY

Laird F. Shrader, Jeannette.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT, FAYETTE COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph G. Berry, 301 Catherine Avenue, Brownsville, Fayette County, for appointment as Register of Wills and ex-officio Clerk of the Orphans' Court in and for the County of Fayette, to serve until the first Monday of January, 1948, vice Bruce F. Sterling, deceased.

EDWARD MARTIN.

Mr. EALY. Yesterday the Governor nominated Joseph G. Berry for appointment as Register of Wills and ex-officio Clerk of the Orphans' Court, County of Fayette, in place of Honorable Bruce F. Sterling, deceased. The appointment read until the first Monday of January, 1946, but under the change of the primary date and the decisions of the Supreme Court the appointment should have been until the first Monday of January, 1948. Therefore the Governor has submitted the nomination of Mr. Berry, with a new date for expiration of the commission.

I ask leave to report this nomination from the Committee on Executive Nominations with approval today and that the nomination be considered as re-submitted instead of submitted yesterday.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. FARRELL,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday, and the one nomination reported today which was substituted for the one with regard to Fayette County.

The motion was agreed to.

The Clerk read the nominations as follows:

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT, COUNTY OF FAYETTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph G. Berry, 301 Catherine Avenue, Brownsville, Fayette County, for appointment of Register of Wills and ex-officio Clerk of the Orphans' Court in and for the County of Fayette, to serve until the first Monday of January, 1948, vice Bruce F. Sterling, deceased.

EDWARD MARTIN.

MEMBERS OF THE PENNSYLVANIA POST-WAR PLANNING COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following:

Charles R. Barber, Erie, from June 13, 1944, until annulled.

(Mrs.) Hannah M. Durham, Allentown, from June 13, 1944, until annulled.

S. W. Fletcher, State College, from June 13, 1944, until annulled.

Edward Hopkinson, Jr., Philadelphia, from June 13, 1944, until annulled.

Thomas Kennedy, Hazleton, from June 13, 1944, until annulled.

Weir C. Ketler, Grove City, from June 13, 1944, until annulled.

Richard K. Mellon, Ligonier, from June 13, 1944, until annulled.

Henning W. Prentis, Jr., Lancaster, from June 13, 1944, until annulled.

H. Melvin Vivian, Wilkes-Barre, from June 13, 1944, until annulled.

EDWARD MARTIN.

STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John M. Rice, 950 Century Building, Pittsburgh, Allegheny County, for appointment as a Member of the State Registration Board for Professional Engineers, for the term of six years, and until his successor is appointed and qualified, vice George S. Richardson, Pittsburgh, resigned.

EDWARD MARTIN.

MEMBER OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. D. Miller (Republican), Biglerville, Adams County, for appointment as a Member of the Adams County Board of Assistance, to serve until December 31, 1945, and until his successor is duly appointed and qualified, to fill a vacancy.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul S. Christman, Schuylkill Haven, Schuylkill County, for appointment as a Member of the Board of Trustees of Wernersville State Hospital, for the term of four years, and until his successor is qualified, vice John K. Berk, Frackville, deceased.

EDWARD MARTIN.

JUSTICE OF THE PEACE, SCALP LEVEL BOROUGH, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew W. King, 637 Main Street, Scalp Level, Cambria County, for appointment as Justice of the Peace in and for the Borough of Scalp Level, Cambria County, until the first Monday in January, 1946, vice Jacob D. Heider, deceased.

EDWARD MARTIN.

MEMERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Thaddeus Stevens Industrial School:

Theodore Schwalm, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified. (Reappointment).

Louis B. Bond, Christiana, Lancaster Counyt, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment).

Claude W. Breneman, Elizabethtown, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment).

Calvin M. Kendig, Mountville, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment).

Mrs. Elizabeth D. Stine, 580 School Lane, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until her successor shall have been appointed and qualified. (Reappointment).

Chester M. Woolworth, 1 Jackson Drive, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment).

B. W. Luttenberger, 123 Race Avenue, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Oliver S. Schaeffer, Lancaster, whose term expired.

S. E. Dyke, Millersville Pike, Lancaster, Lancaster County, to serve until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified, vice Clifford C. Aument, Quarryville, whose term expired.

EDWARD MARTIN.

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. EALY and Mr. FARRELL,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported.

Which was agreed to,

Whereupon,

A motion was made by Mr. EALY and Mr. FARRELL,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

THE PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 295

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to.

In the House of Representatives, May 3, 1945.

Resolved, (If the Senate concurs) That House Bill No. 295, Printer's No. 582, entitled:

An Act to repeal obsolete and supplied penal laws

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College, to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

House Bill No. 140, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 176, entitled:

An Act to add sections eight point one and eight point two, to the act approved the thirtieth day of March, one thousand nine hundred three (P. L. 106), entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes, assessed and levied, are delinquent and remain unpaid," by fixing the interests of the various taxing authorities having taxes or claims against property sold under the provisions of said act by the treasurer of any city of the second class, and providing for the distribution of moneys received as income from, or resale of any such property purchased by the city at such tax sale

House Bill No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

House Bill No. 419, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts, page 45), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne, destroyed by flood in said county during the month of May, one thousand nine hundred forty-two," increasing the appropriation for the construction of certain bridges.

House Bill No. 423, entitled:

An Act to amend section two thousand three hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for payment of State appropriations where schools are closed on account of impassable roads.

House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

Senate Bill No. 519, entitled:

An Act to amend section eight of the act, approved the third day of June, one thousand nine hundred nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

House Bill No. 639, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled as amended, "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or rights or ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the rigth to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical or lateral support to all lands, easements and rights of ways purchased, condemned or otherwise acquired by the Commonwealth.

House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act, approved the twenty-eighth day fo April, one thousand nine hundred thirty-seven (P. L. 417), entitled "Milk Control Law," by requiring milk dealers to give daily reports of milk delivered by milk producers.

House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred, thirty-nine (P. L. 872), entitled "The Penal Code," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

House Bill No. 807, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," as amended; by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time, further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes; eliminating provisions for an Attorney General a commission and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court.

House Bill No. 827, entitled:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions; providing for the forfeiture of their office; and imposing penalties for certain actions and omissions

House Bill No. 842, entitled:

An Act authorizing cities boroughs towns and townships to establish veterans service centers and to expend money therefor and for the operation and maintenance thereof

House Bill No. 873, entitled:

An Act to further amend sections fifteen and eighteen of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "Co-operative Agricultural Non-stock Associations Law," providing for the termination of memberships, for filing summaries of audits; for involuntary winding up and dissolution of associations failing to file such summaries, exempting associations from payment of certain State taxes and the filing of reports relative thereto, and imposing penalties.

House Bill No. 874, entitled:

An Act to further amend the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "Cooperative Agricultural Stock Association Law," providing for associations to be formed by two or more cooperative agricultural associations, removing certain limitations on holding of common stock, enlarging the powers to purchase stock of certain other corporations; providing for preferred stock in classes differing only as to rate of dividend, further regulating preferred stock dividends and patronage refunds; further regulating voting rights of stockholders, requiring filing of summaries of audits; imposing penalties, and changing the words "Auditor General" to the words "Secretary of Revenue."

House Bill No. 1062, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "Orphan's Court Act of 1917," by giving trustees the right to hold certain real estate under certain conditions.

House Bill No. 1068, entitled:

An Act to protect the health, safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said Board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation.

House Bill No. 1104, entitled:

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion; providing for the organization of the various counties into soil conservation districts, the appointment of their officers and employes, and prescribing their powers and duties; creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act; providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto; providing for disposition and operation of existing districts; and repealing existing laws.

House Bill No. 1175, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-five.

House Bill No. 1250, entitled:

An Act providing a uniform method for taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city, county, township, borough or other political subdivision, or governmental agency of the Commonwealth.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Bernard B. McGinnis) in the Chair.

SENATE BILL No. 577 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 577, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate pro-

ceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 577.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation of big game requiring report of such killing and providing penalties

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 708, page 2, line 12, by strikout after the word "portion" and before the word "such" the following: prepared to report and inserting in lieu thereof the following: supplied with his hunting license for reporting; Amend Section 1, Section 708, page 2, line 14, by inserting after the word "season" at the end of the line the following: for the animal killed; Amend Section 1, Section 708, page 2, line 19, by striking out after the word "tag" at the end of the line the word "in" and inserting in lieu thereof the following: within; Amend Section 1, Section 708, page 2, line 21, by striking out after the word "name" and before the word "address" the word "and"; Amend Section 1, Section 708, page 2, line 25, by striking out after the word "a" and before the word "tag" the word "separate" and inserting in lieu thereof the following: similar; Amend Section 1, Section 708, page 2, lines 25 and 26, by striking out after the word "tag" and before the word "or" the following: supplied with his hunting license; Amend Section 1, Section 708, page 2, line 28, by inserting after the word ""season" and before the word "mail", the following: for the animal killed; Amend Section 1. Section 708, page 3, line 3, by inserting before the word "and" at the beginning of the line, the following: actual or estimated; Amend Section 1, Section 708, page 3, line 3, by inserting after the word "mail" and before the word "the" the following: deer.

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Tallman,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	Rosenfeld,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Woodward,
Dent,	Kephart,	Stiefel,	McGinnis,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 385 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 385, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 385.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 385, entitled:

An Act to amend paragraph two of subsection (b) and to add a new paragraph thirteen to seubsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurance against all risk of loss of or damage to personal property

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 202, page 2, line 12, by inserting after the word "Incorporated", the following: Underwriting Powers; Amend Section 1, Section 202, page 2, line 18, by inserting after the word "goods" at the end of the line, the following: personal property; Amend Section 1, Section 202, page 2, lines 21 and 22, by inserting after the word "transportation" and before the word "upon", the following: including all personal property floater risks; Amend Section 1, Section 202, page 3, lines 5 to 13, inclusive, by striking out the following: upon personal property owned by any individual other than (a) motor vehicles aircraft or water-craft (excepting canoes rowboats sail-boats less than twenty-one feet in length and outboard motor boats) or (b) personal property pertaining to the business trade or profession of the insured (excepting professional books instruments and other professional equipment owned by the insured) against all risks of loss or damage; Amend Section 2,

Section 202, page 3, line 22, by inserting after the word "Incorporated", the following: Underwriting Powers; Amend Section 2, Section 202, page 4, line 10, by inserting after the word "insure" and before the word "against", the following: by means of an all-risk type of policy commonly known as "The Personal Property Floater Policy"; Amend Section 2, Section 202, page 4, line 12, by striking out after the word "than" and before the word "motor", the following: (a), and inserting in lieu thereof the following: merchandise; Amend Section 2, Section 202, page 4, line 12, by striking out after the word "aircraft" and before the word "water-craft" the word "or"; Amend Section 2, Section 202, page 4, line 14, by striking out after the word "or" and before the word "personal" the following: (b).

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Tallman,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	Rosenfeld,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Scarlett,	Wilson
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Woodward,
Dent,	Kephart,	Stiefel,	McGinnis,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, re-reported as amended, House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia, to authorize the Governor of the state to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District, providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

SENATE BILL No. 483 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 483, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 483.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 8, by striking out the words "parking lots" and inserting in lieu thereof the following: lots for the parking of motor vehicles and for no other use or purpose.

On the question,

Wil lthe Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 616 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 616, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 616.

Mr. SCARLETT. Mr. President, I Second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 616, entitled:

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows: Amend Sec. 1 (Sec. 2004), page 2, line 15, by inserting after the word "service" the following: at the same rate as paid for regular service; Amend Sec. 2 (Sec. 2103), page 3, line 25, by inserting after the word "service" the following: at the same rate as paid for regular service; Amend the bill, page 4, by inserting after line 17, the following: Section 3. The provisions of this act shall become effective immediately upon final enactment.

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A mapority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 102 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 102, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 102.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill, No. 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 14 of the title, by striking out the following: the current and other expenses of the State government; Amend the title, page 2, lines 15 and 16, by inserting after the word "defray" and before the word "during", the following: the current and other expenses of the State government.

On the question,

Will the Senate concur in the amendments made by the House?

Mr. WILSON. What I am about to say is no reflection on anybody or anything. All of this may be very much in order but there are a good many amendments which have been made by the House, to bills that have been over there, and I have not seen them and I do not think any Senator here has seen them and I do not know what they are and what they mean. I do not say a single thing is wrong but I do not believe this haste is necessary. I just feel we ought to be permitted at least to have somebody read the amendments to us because we will not have a calendar until five o'clock and we ought to have these amendments read so that at least I can say "well, I heard them read". That is all I would like to have someone do. I say that I do not think we should vote on something without having it understood what we are voting on, and this is no reflection on anybody, because we all have been working hard so we can meet this adjournment date and get through on scheduled time. It is the people who have charge of this, Mr. Heyburn and Mr. Dent. I just do not feel good about it, because we are undertaking too much; we are undertaking to make the most of legislation here without being able to read it. And I want to say to you, unless you quit this kind of business I am going to get up on the floor of the Senate and begin to talk again, because it is just as much fun to talk as to sit here and hear someone else talk.

I simply request that you let us know what we are voting upon and I say we can not do it unless someone tells us what it is.

(The Senate was at ease)

Mr. WILSON. Through the kindness of the gentlemen who are interested and who are running the affairs of the Senate, I have been permitted to see the amendments made to Senate Bill 102 and I had just a few words of explanation, which are entirely satisfactory to me, for which I want to thank them.

I am now in favor of endorsing what has been done, but I simply request in connection with other bills, that someone say they are all right and assume the responsibility of it and know what they are talking about.

And the question recurring,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 684 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 684, for concurence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 684.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 684, entitled:

An Act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors, to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year, as returned by it to the Federal Government for income tax purposes, and ratifying contributions heretofore made.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title to the act by striking out with bold-face brackets the following: "[to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year as returned by it to the Federal Government for income tax purpose]", and inserting in lieu thereof the following: "to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders"; Amend the title by striking out with bold-face brackets after the work "ratifying" the following: "[contributions heretofore made]", and inserting in lieu thereof the following: "certain contributions"; Amend Section 1, page 1, line 3 by striking out with bold-face brackets after the word "Commonwealth" and before the word "and" the following: "[by]", and inserting in lieu thereof the following: "be"; Amend Section 1, page 2, lines 28 and 29 by striking out with bold-face brackets the following: "[to an amount in the aggregate which does not exceed fifteen per centum (15%) of the net income of such]"; Amend Section 1, page 3, lines 1 and 2 by striking out with bold-faced brackets the following: "[corporation for such taxable year as returned by it to the Federal Government for income tax purposes]", and inserting in lieu thereof the following: "to the extent in the aggregate authorized, approved or ratified by the by-laws of the corporation or by resolution of its shaeholders"; Amend Section 1, page 3, line 3 by inserting after the word "made" and before the word "at" the following: "heretofore or"; Amend Section 1, page 3, line 3 by inserting at the end of the line after the word "the" the following: "next annual meeting of the shareholders held after the"; Amend Section 1, page 3, line 5 by striking out with bold-faced brackets, after the word "purposes" the following: "[and within]"; Amend Section 1, page 3, line 6 by striking out with bold-faced brackets before the word "prescribed" the following: "[the limitations]".

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Represenatives accordingly.

ANNOUNCEMENT BY THE LIEUTENANT-GOVERNOR

The PRESIDENT. The Chair announces that one of his boys has a leave of absence which expires tomorrow. I have not seen him for some time and I believe it is his last leave. With permission of the Senate I would like to be excused tomorrow, if I could.

In case you gentlemen do not come back on Monday, in case we all adjourn tomorrow, this will be the last time I preside and I want to say to you in future years I shall look back on these four years with a tremendous amount of pleasure, and with a feeling of honor and pride that I have been privileged to preside over a bunch of swell fellows.

FELICITATING THE LIEUTENANT-GOVERNOR

Mr. DENT. Members of the Senate, it has been my good fortune to have served in the General Assembly since January, 1935. During this period of time I have had the privilege and honor of serving as a member of the House and also as a member of the Senate.

Of course, at different sessions of the Legislature we have had different commanding officers, as it were. Those of us on the Democratic side know full well what a difficult position the Minority can be put into if the Presiding Officer takes an adamant position and does not give to the Minority the privileges they are entitled to, under law and through common decency, and I speak, I believe, for the entire membership of the Minority when I say to you, Jack Bell, that you have been eminently fair, that at all times we have been considered as members of the Senate and not as members of the Minority Party. And I do believe and say, in fairness to you, that in order to show that you knew and understood that we needed a little extra kindness now and then, you have perhaps at times injured the feelings of the Majority because of your decency and niceness to the Minority. Those things we can not forget. We hate to see you go, because we have enjoyed serving with you and under you in the Senate of Pennsylvania.

Mr. WALKER. Mr. President, the members of the Majority side of the Senate have told you frequently in caucus how highly they regard you. We have also said a lot of things to you in caucus that show you how much we enjoy and cherish your friendship.

The distinguished gentleman from Westmoreland, who just conveyed to you the respects of the Minority Party, said they were sorry to see you go. The Majority Party would like to say to you, Mr. President, that they hope you are moving just a little south and though you may leave the Senate Chamber, you never will be able to leave our hearts. We consider you a friend of every individual here, and in the words of the estimable gentleman from Philadelphia, bless your heart.

Mr. COLEMAN. Mr. President, two years ago, on the occasion of the final session of the Senate presided over by your predecessor, the Honorable Samuel S. Lewis, I made the observation then that the Commonwealth of Pennsylvania was most fortunate in that over a long period of years she has had as Presiding Officers in the Senate of Pennsylvania some of the outstanding gentlemen of this state. May I say that you have measured up to that high standard. You have been, as my good friend Senator Dent says, eminently fair to the Minority.

I have always felt that an index to a man's character is his sense of fairness, and those of us on the minority side have always appreciated the fashion in which you have handled the gavel as Presiding Officer, your fairness to us, your courtesy and consideration on all occasions.

May I say that it is the wish of the Minority Party, as I know it is of the Majority Party, that as you travel through life we hope your joys may be as deep as the ocean and your troubles as light as the foam thereon.

Mr. DiSILVESTRO. I am bubbling with affection and friendship for the Lieutenant-Governor. I do not intend to make a speech but I do want to say that I have served under one of the swellest guys in Pennsylvania.

Mr. STIEFEL. Mr. President, you have succeeded in retaining your youthful appearance despite the many burdens that you have exposed yourself to during the past four years.

I have told on several previous occasions a story that our worthy Minority Leader Senator Dent, enjoys very much and I am going to repeat it again today. This is a story about a man who lived during the ages when the institution of polygamy was permissible. He was a middle-aged man, with a sprinkling of gray hair on his head. He had two wives, a young one and an old one, and he was held on the horns of a dilemma. Whenever he would spend an evening in the company of his young wife she would pluck a gray hair from his head, so that he would look younger, and whenever he would spend an evening in the company of the old wife she would pluck a black hair from his head, so he would look older, and between these two women he become bald-headed.

You have had to balance your courtesy between the two parties and by the manner that you have done so, I think that is a great tribute to your sense of decency, your tactfullnes and your diplomacy.

Mr. HALUSKA. Mr. President, during this session, as compared with the many sessions I have been here, my observation has shown me that one thing has happened that had not happened in other sessions and that is that at any time any of us of the Minority would ask the Chair to permit the Senate to be at ease, there was never any question of doubt in his mind, we always received the same consideration that a similar request by the Majority received, and that is one thing to me that has been outstanding throughout this session, for which I am very grateful.

Mr. HEYBURN. Mr. President, I have known you for a long time now, and I have always known you were a great man, but frankly I did not know you are as good as you are.

But I do want to say, Mr. President, seriously, that everybody in this Senate concurs in what has been said here this morning, on both sides of the aisle. It has been a real pleasure to work with you. You have made a real contribution, Mr. President, to the democratic way of life.

I do not think there is anything I can say to Jack Bell that would please him more than to have him know that we think he has made a tremendous contribution to maintenance of the Constitution and the American way of life.

The PRESIDING OFFICER (O. J. Tallman) in the Chair.

SENATE BILL No. 658 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 658, for concurrence in House amendments.

This is the unemployment compensation bill. There have been some amendments made to this bill by the House and it will have to go into a Conference Committee.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 658.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 4, page 5, line 8, by striking out before the word "an" the following: "where", and inserting in lieu thereof the following: "Provided further That when"; Amend Section 1, Section 4, page 5, lines 12 and 13, by inserting after the word "rate" and before the word "and", the following: "except that this provision shall not affect the computation of an employer's rate of contribution if such payment was not determined erroneous prior to such computation unless such payment was determined erroneous under a court decision"; Amend Section 1, Section 4, page 9, lines 26 and 27, by striking out after the word "the" and before the word "as", the following: "total wages of all compensated employes of an employer," and inserting in lieu thereof the following: "wages of a Compensated Employe"; Amend Section 1, Section 4, page 9, line 28, by inserting before the part-ward "tion" and before the word "during", the following: "paid following: "total wages of all compensated employes of Amend Section 1, Section 4, page 10, by inserting between lines 21 and 22, the following: "(C) Notwithstanding any other provisions of section four (i) and individual's entire service as an officer or member of a crew of an American vessel wherever performed and whether in intra-state or inter-state or foreign commerce if the employer maintains within this state the operating office from which the operations of the American vessel in respect to which such services are performed are ordinarily and regularly managed supervised and controlled"; Amend Section 1, Section 4, page 10, lines 24 and 25, by striking out after the word "[in]" and before the word "a", the following "or casual labor in connection with", and inserting in lieu thereof, the following: "Casual labor in connection with a private home provided that the employer of such casual labor resides in such private home and domestic service in"; Amend Section 1, Section 4, page 11, by inserting before line 1, the following: "(3) Service performed as an officer or member of the crew of a vessel [on the navigable waters of the United States] on an American vessel"; Amend Section 1, Section 4, page 12, line 17, by striking out before the word "services", the following: "this subsection", and inserting in lieu thereof the following: "section four (1);" Amend Section 1, Section 4, page 13, line 21, by inserting after the word "refunds" and before the word "made", the following: "(including the repayment and recovery of compensation erroneously paid)"; Amend Section 1, Section 4, page 14 line 6, by inserting after the word "unemployed" and before the word "the", the following: "and the reasons therefor"; Amend Section 1, Section 4, page 15, line 18, by striking out after the word "who" and before the word "is", the following: "(i)"; Amend Section 1, Section 4, page 15, lines 19, 20 and 21, by striking out after the "(a)" on line 19, the following: "(b) and (d) and (ii) is not ineligible under any of the provisions of Section four hundred and two (a) (b) and (e)"; Amend Section 1, Section 4, page 15, line 22, by striking out after the word "Wages" and before the word "all", the following "names", and inserting in lieu thereof, the following "means"; Amend Section 1, Section 4, page 17, line 1 by striking out after the word "to" and before the word "compensated" the following: "a", and inserting in lieu thereof the following: "the"; Amend Section 1, Section 4, page 17, line 16, by inserting after the word "employe" and before the word "in", the following: "by an employe of such employe"; Amend Section 1, Section 4, page 1 line 25, by striking out after the word "by" and before the word "employer", the following: "each", and inserting in lieu thereof, the following: "an"; Amend Section Section 4, page 18, by inserting between lines 8 and the following: "(z.1) "American vessel" means any vessel documented and numbered under the laws of the United States including any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country if crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state"; "(z. "Shipping Articles" means 'Articles of Agreement' purporting to comply with section five hundred sixty-four Title forty-six of the United States Code or any other agreement under which officers or members of the crew are employed on the high seas and under which they are not entitled to a final settlement of wages until the termination of the period of the employment"; Amend Section

4, Section 206, page 21, line 9, by striking out after the word "the" and before the word "provisions", the following: "contributing", and inserting in lieu thereof, the following: "reporting"; Amend Section 4, Section 206, page 21, line 23, by striking out after the word "the" and before the word "provisions", the following: "contributing", and inserting in lieu thereof, the following: "reporting"; Amend Section 5, Section 301, page 22, line 10, by inserting after the word "employment", the following: "occurring prior to the first day of January one thousand nine hundred and forty-two"; Amend Section 5, Section 301, page 28, lines 17 and 18, by striking out after the word "paid" and before the word "the", the following: "to the end of", and inserting in lieu thereof, the following: "during"; Amend Section 5, Section 301, page 30, line 23, by striking out after the word "transfers" and before the word "his", the following: "all or substantially all of"; Amend Section 5, Section 301, page 30, line 23, by striking out after the word "its", the word "entire" at the end of the line; Amend Section 5, Section 301, page 30, line 24, by inserting after the word "business" and before the word "to", the following: "in whole or in part"; Amend Section 5, Section 301, page 30, line 27, by striking out after the word "the" and before the word "including", the following: "succeeding employer", and inserting in lieu thereof, the following: "successor-in-interest"; Amend Section 5, Section 301, page 31, line 2, by striking out after the word "Experience" and before the word "pursuant" the following: "only if"; Amend Section 5, Section 301, page 31, line 3, by striking out at the beginning of the line and before the word "adopted", the following: "regulation", and inserting in lieu thereof, the following: "regulations"; Amend Section 5, Section 301, page 31, line 3, by inserting after the word "department" and before the word "it", the following: "only if"; Amend Section 5, Section 301, page 31, line 4, by inserting after the word "employer" and before the word "may", the following: "with respect to the organization trade or business or part thereof as the case may be which has been transferred"; Amend Section 5, Section 301, page 31, line 6, by striking out after the word "the" and before the word "A", the following: "succeeding employer", and inserting in lieu thereof, the following: "successor-in-interest In the event of a part transfer of an employer's organization trade or business only that portion of the Employer's Experience" relating to the portion of the organization trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred;" Amend Section 5, Section 301, page 31, line 7, by inserting after the part-word "perience" and before the word "having", the following: "in whole or in part"; Amend Section 5, Section 301, page 31, line 8, 9 and 10, by striking out after the word "department" on line 8, the following: "the entire "Employer Experience" of the predecessor shall be transferred to the successor as of the date of such transfer and thereafter the predecessor shall", and inserting in lieu thereof, the following: "the preceding employer thereafter shall"; Amend Section 5, Section 301, page 31, line 12, by striking out after the word "experience", the following: "prior to the date of such transfer", and inserting in lieu thereof, the following: "or part thereof as the case may be which has been thus transferred"; Amend Section 6, page 34, line 8, by striking out at the end of the line after the word "hereby", the following: "repealed", and inserting in lieu thereof, the following: "further amended to read as follows, "Section 303 [Period and Termination of Contributions (a) Any employer who or which becomes subject to this act during any calendar year shall be subject to and shall pay the contributions required by this act during the whole of such calendar year; (b) Any employer subject to this act shall cease to be so subject only upon written application to the department and finding by the department that neither (1) during the previous calendar year nor (2) during that part of the current calendar year which precedes the date on which such application was filed has he employed any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty days each day being in a different week whether or not such weeks are consecutive] Wages Paid for Employment under Shipping Articles Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employe"; Amend Section 7, Section 308.1, page 34, line 17, by striking out at the beginning of the line and before the word "All", the following: "Notice of Judicial Sales"; Amend Section 7, Section 308.1, page 35, by striking out lines 12 to 21, inclusive; Amend Section 7, Section 311, page 36, line 12 ,by striking out at the beginning of the line and before the word "interest", the following: "or"; Amend Section 7, Section 311, page 36, line 12, by inserting after the word "interest" and before the word "under", the following: "or penalties"; Amend Section 7, Section 311, page 36, lines 18, 19, 20 and 21, by striking out after the word "paid", the following: "Provided That an amount equal to any refund or credit of interest allowed as provided herein shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund"; Amend Section 7, Section 311, page 36, line 23, by striking out after the word "contributions" and before the word "interest", the following: "or"; Amend Section 7, Section 311, page 36, line 23, by inserting after the word "interest" and before the word "unless", the following: "or penalties"; Amend Section 7, Section 311, page 36, line 27, by inserting after the word "the" and before the word "period", the following: "reporting"; Amend Section 7, Section 312, page 37, line 13, by striking out the light-faced bracket after the word "thereon"; Amend Section 7, Section 312, page 37, line 14, by inserting after the word "interests" a light-faced bracket; Amend Section 7, Section 312, page 38, by inserting between lines 18 and 19, the following: "(e) Services performed on vessels engaged in interstate or foreign commerce for a single employer wherever performed shall be deemed to be performed within this State or within such other states; Amend Section 8, Section 401, page 40, line 9, by striking out after the word "That" and before the word "the", the light-faced bracket; Amend Section 8, Section 401, page 40, lines 11, 12, and 13, by striking out after the word "year]" the following: "this

requirement shall not interrupt the payment of compensation for consecutive weeks of employment"; Amend Section 8, Section 401, page 40, line 18, by striking out after the word "section" and before "(a)", the following: "four hundred and two", and inserting in lieu thereof, the following: "402"; Amend Section 8, Section 401, page 40, line 19, by striking out after "(d)" and before "(e)", the following: "and"; Amend Section 8, Section 401, page 40, line 19, by inserting after "(e)", the following: "and (f)"; Amend Section 9, Section 402, page 40, line 20, by striking out after the word "Section" and before the word "four", the following: "[402]"; Amend Section 9, Section 402, page 42, line 20, by striking out after the word "earlier", the following: "Provided"; Amend Section 9, Section 402, page 42, by striking out lines 21 to 28, inclusive; Amend Section 9, Section 402, page 43, by striking out lines 1 to 6, inclusive; Amend Section 9, Section 402, page 43, by inserting between lines 9 and 10, the following: "(f) Which in whole or in part includes any part of the two week period which immediately follows each period of employment under Shipping Articles"; Amend Section 10, Section 404, page 46, by inserting after line 22, the following: "(f) For purposes of this section wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the calendar quarter in which they were earned"; Amend Section 10, Section 407, page 53, line 24, by striking out after the word "service" and before the word "line", the following: "or"; and inserting in lieu thereof, the following: "in"; Amend Section 10, Section 407, page 54, line 4, by string out after the numeral "4" and before the word "at", the numeral "1" in parentheses and inserting the lettter "1" in parentheses; Amend Section 10, Section 407, page 54, line 5, by striking out after the "he" and before the word "entered" the following: "last"; Amend Section 11, Section 501, page 56, lines 18 and 19, by striking out after the word "to", the following: "(i) the last employer of the claimant stating that an application has been filed by the designated employe (ii)"; Amend Section 11, Section 501, page 57, by striking out lines 3 to 20 inclusive, and inserting in lieu thereof, the following:

"(b) Notice shall be given in writing to the last employer of the claimant stating that an application has been filed by the designated employe

(c) The department shall promptly examine each claim for waiting week credit and each claim for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid

Notice of such determination need not be given to the claimant if the claim is determined valid but if the claim is determined invalid notice shall be given by the department in writing to the claimant stating that the claim is invalid and the reason therefor

Notice of such determination need not be given to any base year employer or last employer of the claimant unless such base year employer or last employer has filed with the department information in writing which might raise a question as to the eligibilty of the claimant for any reason other than his failure to comply with the provisions of section four hundred one (a) in which event notice shall be given as provided herein

If an employer files with the department such information within ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is on or before the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the clamant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

If an employer files with the department such information more than ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall only issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of whch is within the thirty-day period which immediately precedes the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of whcih is subsequent to the date on which such information is filed.

Amend Section 11, Section 501, page 57, line 21, by striking out at the beginning of the line, before the word "The" the following "(c)" and inserting in lieu thereof the following "(d)"; Amend Section 11, Section 501, page 57, line 23, by striking out after the word "and" and before the word "of", the following "(b)" and inserting in lieu thereof, the following "(c)"; Amend Section 11, Section 501, page 57, line 26, by striking out at the beginning of the line, before the word "Unless", the following "(d)" and inserting in lieu thereof, the following: "(e)"; Amend Section 11, Section 501, page 57, line 28, by striking out after the word "notice" and before the word "required", the following "as"; Amend Section 11, Section 501, page 58, line 1, by striking out after the following "(a)" and before "(c)", the following: "(b) and"; Amend Section 11, Section 501, page 58 line 1, by inserting after "(c)" and before the word "within", the following: "and (d)"; Amend Section 12 Section 601, page 58, line 23, by striking out the dark faced brackets after the part-word "tributions" and before the word "together"; Amend Section 12, Section 601, page 58, line 23, by striking out after the word "with and before the word "penalties", the following: "] exclusive of"; Amend Section 12, Section 601, page 59, line 5, by inserting after the word "section" and before the word "six", the following: "sections six hundred and one point one and"; Amend Section 13, Section 601, page 59, lines 26, 27, 28 and 29, by striking out after the word "Fund" on line 26, the following: "All interest and penalties collected from employers under the provisions of this act shall be paid into the Special Administration Fund"; and inserting in lieu thereof, the following:

"An amount equal to all moneys which have been collected as interest and penalties and which are hereafter credited to the Employer's Contribution Account together with all interest and penalties which are hereafter credited to individual employer accounts as interest or penalties on the basis of credits allowed by the department und

the provisions of section three hundred eleven less an amount equal to all refunds hereafter made and credits hereafter allowed of interest and penalties under section three hundred eleven shall be transferred from time to time from the Unemployment Compensation Fund (Employer's Contribution Account) to the Special Administration Fund".

Amend Section 13, Section 601.1, page 61, lines 5, 6, 7, 8 and 9, by striking out after the word "provided" on line 5, the following: "and as provided under section three hundred and eleven wherein an amount equal to any refund or credit of interest shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund"; Amend Section 17, page 64, line 9, by inserting after the word "provisions" and before the word "of", the following: "section 6 and of"; Amend Section 17, page 64, line 9, by striking out after the following "(j)" and before the following (1), the word "and"; Amend Section 17, page 64, line 9, by inserting after the following "(1)" and before the word "of", the following: "(z.1) and (z.2)".

On the question,

Will the Senate concur in the amendments made by the House?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 658

Mr. HEYBURN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 658.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 656 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 656, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispende with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 656.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 656, entitled:

An Act to amend clause (a) of section three hundred one, clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupation Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employers' rights of subrogation; adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 301, page 8, line 4, by striking out the light-faced bracket after the word "Amputation" and before the word "at"; Amend Section 1, Section 301, page 8, line 4, by striking out the light-faced bracket after the word "or" at the end of the line; Amend Section 1, Section 301, page 8, line 6, by striking out the light-faced bracket after the word "amputation" and before the word "at"; Amend Section 1, Section 301, page 8, line 6, by striking out the light-faced bracket after the word "or" and before the word "above".

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 657 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 657, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 657.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 657, entitled:

An Act to further amend clause (a), (b), (c), (f) and (h) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employer's rights of subrogation, adding provisions relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 306, page 6, line 24, by striking out the light-faced bracket after the word "Amputation" and before the word "at"; Amend Section 1, Section 306, page 6, line 24, by striking out the light-faced bracket after the word "or" at the end of the line; Amend Section 1, Section 306, page 6, line 26, by striking out the light-faced bracket after the word "amputation" and before the word "at"; Amend Section 1, Section 306, page 6, line 26, by striking out the light-faced bracket after the word "or" and before the word "above".

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margiotti,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 718 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 718, for concurrence in House amendments.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 718.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 718, entitled:

An Act to add section three hundred six and one-tenth to the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 520), entitled "An act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing practice and rules of evidence; defining earning power after accident; authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; increasing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act," providing for payment in second injury cases.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 10 of the title, by inserting after the word "cases", the following: and making an appropriation; Amend Section 1, page 3, by striking out lines 6, 25, inclusive, and inserting in lieu thereof, the following:

Section 306.1 If an employe who has incurred (through accident or otherwise) permanent partial disability through the loss or loss of use of one hand one arm one

:oot one leg or one eye incurs total disability through a subsequent injury causing loss or loss of use of another and arm foot leg or eye he shall be entitled to additional compensation as follows

After the cessation of payments by the employer for the period of weeks prescribed in Clause (c) hereof for the subsequent injury additional compensation shall be paid during the continuance of total disability at the weekly compensation rate applicable for total disability for the remainder of the five hundred week period provided in Clause (a) hereof This additional compensation shall be paid by the Commonwealth only upon an award by a compensation referee or the board All claims for such additional compensation shall be forever barred unless the employe shall have filed a petition therefor with the board within one year after the last payment made under Clause (c) hereof out of the General Fund in the State Treasury The sum of one hundred thousand dollars ($100,000) is hereby appropriated to the Department of Labor and Industry for compensation payable by the Commonwealth under this section for the biennium one thousand nine hundred and forty-five one thousand nine hundred forty-seven

Amend Section 2, page 4, by striking out lines 16 and 17.

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 8:00 o'clock p. m., Eastern War Time.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia

Senate Bill No. 4, entitled:

An Act making an appropriation to the State Veterans' Commision for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation is certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose

Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways

Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured, and dependent relatives, members of families, and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard

Senate Bill No. 16, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

Senate Bill No. 17, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty

Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

Senate Bill No 32, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase, condemnation or gift, the construction and equipment and furnishing of any buildings, and the alteration, removal, remodeling or replacing of existing buildings, to be used for barracks and training facilities for the Pennsylvania State Police

Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

Senate Bill No. 49, entitled:

An Act making an appropriation of money in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement system with respect to State employes receiving compensation from the Manufacturing Fund

Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

Senate Bill No. 60, entitled:

An Act making an apporpriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Senate Bill No. 73, entitled:

An Act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings; for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap; for post-war repairs to mounments in France and Belgium; and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation.

Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines.

Senate Bill No. 111, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries, for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth

Senate Bill No. 165, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania

Senate Bill No. 166, entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania

Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania, for the purpose of replacing and renewing certain equipment and machinery.

Senate Bill No. 208, entitled:

An Act to further amend Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by modifying the procedure for the collection and payment of the tax

Senate Bill No. 209, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporation,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax.

Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania, authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary, and making an appropiration therefor.

Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work deal-

ing with the improvement of nutritional status of industrial workers and other civilians.

Senate Bill No. 446, entitled:

An Act to further amend section one thousand nine hundred two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts.

Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers' College, to acquire a tract of land for the use of California State Teachers' College; and making an appropriation therefor.

Senate Bill No. 459, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by defining the word "vehicle".

Senate Bill No. 480, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the furnishing of "Pennsbury Memorial"

Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters, with the approval of the Governor to acquire certain tracts of land for the use fo said department, and making an appropriation therefor.

Senate Bill No. 643, entitled:

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period

Senate Bill No. 646, entitled:

An Act re-appropriating for additional purposes moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting constructing and equipping an auditorium at Indiantown Gap

Senate Bill No. 652, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard;" extending the provisions thereof to the Pennsylvania State Guard; and making changes with respect to advance in grade of retiring officers and enlisted men.

Senate Bill No. 653, entitled:

An Act to amend the act, approved the sixteenth day of March, one thousand nine hundred thirty-seven (P. L. 100), entitled "An act directing the Department of Military Affairs to select, procure, furnish, and award certain decorations, medals, and badges," providing for additional decorations, medals and badges and changing the procedure for awarding the same.

Senate Bill No. 666, entitled:

An Act to further amend the title, and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof, shall be in active service of the United States," by changing the name of the Pennsylvania State Guard to Pennsylvania Guard, and increasing the amount of allowances permitted for officers' uniforms and equipment.

Senate Bill No. 680, entitled:

An Act to further amend section one of the act, approved the twentieth day of April, one thousand nine hundred and twenty-seven (P. L. 321), entitled "An act authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or any part or parts thereof, in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways; and to include, in any route designated for the convenience of the traveling public, any township road or roads," as amended, by eliminating the requirement that designations assigned by the Secretary of Highways shall be the official designations for all purposes.

Senate Bill No. 701, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 214) entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien providing for the payment of the cost of such acquisitions and making an appropriation" by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt interest and costs due the Commonwealth

Senate Bill No. 726, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College to acquire a tract of land for the use of Millersville State Teachers College and making an appropriation therefor.

Senate Bill No. 732, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers,

and of the several administrative departments, boards, commissions, and officers; fixing and salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating in the Department of Welfare boards of trustees for certain penal, correctional and delinquent defective institutions, defining their powers and duties and changing the powers and duties of certain other penal, correctional and defective delinquent institutions.

Senate Bill No. 746, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (O. J. Tallman) in the Chair.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL No. 501, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining real estate brokers and real estate salesmen; and further providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 501.

The Clerk read the amendments as follows:

Amend Section 1, Section 6, page 3, line 6, by inserting after the word "years", the following: "Provided however that any person partnership or unincorporated association who or which has been licensed as a private bank by the Department of Banking of the Commonwealth of Pennsylvania for a period of thirty (30) years or more prior to the first day of January one thousand nine hundred forty-five shall if application therefor is made within ninety (90) days of the effective date of this act be entitled to apply for and to receive a real estate broker's license without examination".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman, Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Coaldale State Hospital, for terms of four years, and until their successors are qualified:

Arthur Snyder, Tamaqua, Schuylkill County. (Reappointment).

William Clements, Coaldale, Schuylkill County, (Reappointment).

John West, Tamaqua, Schuylkill County. (Reappointment).

Edward Fox, Mahantongo Street, Pottsville, Schuylkill County, vice Mrs. Maude Boltz, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Ashland State Hospital, for terms of four years, and until their successors are qualified:

Elmer McSurdy, Buck Run, Schuylkill County. (Reappointment).

Charles Rice, Gordon, Schuylkill County. (Reappointment).

John Barrett, Pottsville, Schuylkill County. (Reappointment).

Allen Glick, R. D. 1, Ashland, Schuylkill County, vice Andrew Wolfgang, Lavelle, deceased.

Archibald Payne, Ashland, Schuylkill County, vice J. L. Hoffman, Ashland, deceased.

EDWARD MARTIN.

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. EALY and Mr. WAGNER, to grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. EALY and Mr. WAGNER, that the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

The Clerk read the amendments as follows:

Amend the title, line 11 of the title, by inserting after the word "headstones" at the end of the line, the following: "in certain cases"; Amend Section 1, Page 2, lines 16 and 17, by striking out after the word "county," on line 16, and before the word "upon" on line 17, the following: "in which a deceased service person is buried"; Amend Section 1, Page 2, line 18, by striking out the light-faced bracket after the word "of" and before the word "any"; Amend Section 1, page 2, line 18, by striking out the light-faced bracket after the word "person" and before the word "who"; Amend Section 1, page 2, line 20, by striking out the light-faced bracket after the word "county" and before the word "on"; Amend Section 1, page 3, lines 14 and 15, by striking out after the word "person" on line 14, and before the word "had" on line 15, the following: "is buried without regard to the county in which he or she"; Amend Section 1, page 3, line 16, by striking out after the word "death" and before the word "whether", the following: "or"; Amend Section 1, page 3, line 17, by striking out the light-faced bracket after the word "county" and before the word "and"; Amend Section 1, page 3, line 18, by striking out the light-faced bracket after the word "county" and before the word "Provided"; Amend Section 1, page 3, line 26, by inserting after the word "tablet" and before the word "No", the following: "Provided however That in cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties hereinbefore set forth".

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 573, on concurrence in House amendments, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 574, on concurrence in House amendments, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties", by providing an alternative method of collection of such tax.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

Which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 3, line 11, by striking out after word "force", the following: "only during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased", and inserting in lieu thereof, the following: "until June thirty one thousand nine hundred forty-seven".

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on House Bill No. 1, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1 entitled: "An act to amend the title and certain sections and to add certain new sections to the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled 'An act to preserve and improve the purity of the waters of the Commonwealth * * *', by changing the definitions of 'establishment' and 'industrial waste' by changing penalties for violations, and requiring prosecutions to be instituted or approved by the Attorney General, by prohibiting the discharge of silt into any waters of the Commonwealth, and regulating the discharge of acid mine drainage into waters thereof; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Boards' approval of plans for opening, reopening or extending coal mines, by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or rights of ways, and the acquisition or construction of pipes, conduits, drains or tunnels and pumps and pumping equipment; and providing for the payment of the costs thereof by the Commonwealth."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN,
FRANK W. RUTH,
J. LEO THOMAS,
(Committee on the Part of the Senate.)

CHARLES H. BRUNNER, JR.,
HERBERT P. SORG,
REUBEN E. COHEN,
(Committee on the part of the House of Representatives.)

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by

political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of "establishment" and "industrial waste" by changing and adding penalties for violations and requiring certain prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans of drainage and disposal of industrial waste and acid mine drainage before opening reopening or continuing the operation of coal mines and the changing of approval plans by authorizing the acquisition by purchase or condenmation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" is hereby amended to read as follows

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts [magistrates aldermen and justices of the peace] in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder [and] providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board

Section 2 Section one of said act is hereby amended to read as follows

Section 1 Definitions Be it enacted etc That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" shall be construed to mean the Sanitary Water Board in the Department of Health or its duly constituted successor

"Establishment" shall be construed to include any industrial establishment mill factory tannery paper or pulp mill garage oil refinery oil well boat vessel mine coal mine coal colliery breaker or coal processing operations not including dredging operations within the limits of a stream quarry and each and every other industry or plant or works in the operation of which industrial wastes are produced

"Industrial waste" shall be construed to mean any liquid gaseous or solid substance not sewage resulting from any manufacturing or industry or from any establishment as herein defined which causes pollution as hereinafter defined and silt coal mine solids rock debris dirt and clay from coal mines coal collieries breakers or other coal processing operations

"Institution" shall include healing preventive mental health educational correctional and penal institutions almshouses and county and city homes operated by the State or any political subdivision thereof and whose sewage is not admitted to a public sewer system

"Municipality" or "municipal" shall be construed to include any county county authority municipal authority city borough town township school district and institution as above defined

"Person" shall be construed to include any person copartnership association or private corporation

"Pollution" shall be construed to mean noxious and deleterious substances rendering unclean the waters of the Commonwealth to the extent of being harmful or inimical to the public health or to animal or aquatic life or to the use of such waters for domestic water supply or industrial purposes or for recreation The Sanitary Water Board shall determine when the discharge of any industrial waste or the effluent therefrom constitutes pollution as herein defined and shall establish standards whereby and wherefrom so far as reasonably practicable and possible it can be ascertained and determined whether any such discharge does or does not constitute pollution as herein defined

"Sewage" shall be construed to include any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals

"Waters of the Commonwealth" shall be construed to include any and all rivers streams creeks rivulets lakes dammed water ponds springs and all other bodies of surface and underground water or parts thereof whether natural or artificial within or on the boundaries of this Commonwealth

Section 3 Section three hundred two of said act is hereby amended to read as follows

Section 302 Existing Industrial Waste Discharges All persons who at the time of the passage of this act are discharging industrial waste into any of the waters of the Commonwealth shall discontinue the discharge of such industrial waste into said waters [or into any municipal sewer system] on notice from the board when after due investigation the board shall declare the discharge of such industrial waste is or may become inimical or injurious to the public health or to animal or aquatic life or prevent the use of waters for domestic industrial or recreational purposes Provided That any discharge that is inimical and injurious to the public health or to animal or aquatic life or to the use of the water for domestic or industrial consumption or recreational purposes shall nevertheless be deemed unlawful and a nuisance whether the board shall so declare or not

Whenever the Sanitary Water Board shall determine upon cause shown that certain existing industrial waste discharges cannot be eliminated due to inability to procure necessary labor materials or equipment arising out of exigencies created by the present war in which the United States is engaged such industrial waste discharges shall not become unlawful until such time as the Sanitary Water Board shall set after the Board determines that such labor materials or equipment are available but the time so set shall in no event be more than one year

after the board determines such labor materials or equipment are available

Section 4 Section three hundred seven of said act is hereby amended to read as follows

Section 307 Regulation of Establishments Erected or Opened or Reopened in the Future No person shall hereafter erect construct or open or reopen or operate any establishment which in its operation results in the discharge of industrial wastes which would flow or he discharged into any of the waters of the Commonwealth and thereby cause a pollution of the same unless such person shall first provide proper and adequate treatment works for the treatment of such industrial wastes approved by the board so that if and when flowing or discharged into the waters of the Commonwealth the effluent thereof shall not be inimical or injurious to the public health or to animal or aquatic life or prevent the use of water for domestic industrial or recreational purposes except when in the opinion of the board such industrial waste is not inimical or injurious to the public health or to animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and shall grant a permit for the discharge of such industrial waste into the waters of the Commonwealth But no permit shall ever be issued by the board authorizing the discharge of untreated industrial waste into the clean waters of the State as above defined Public notice of every application for a permit under this section shall be given by notice published in a newspaper of general circulation published in the county where the permit is applied for once a week for four weeks But any such permit shall be revocable or subject to modification and change by the board at any time thereafter upon reasonable notice served personally or by registered mail addressed to the last known post-office address of the holder of the permit and the owner or operator of such establishment may be required to install treatment works approved by the board for the treatment of such industrial waste or for the deposition of solids in such industrial waste in the manner and to the extent as the board may require The discharge of industrial waste into any of the waters of the Commonwealth from any such establishment contrary to the provisions of this section or without a permit or after the time fixed in the notice of the board when a permit is revoked or in violation of any modification thereof is hereby declared to be a nuisance and to be punishable and abatable as herein provided [The provisions of this section shall not apply to establishments existing at the date of the approval of this act which may hereafter be temporarily closed for a period not exceeding six months]

Section 5 Section three hundred nine of said act is hereby amended to read as follows

Section 309 Penalties [Any person who shall discharge any industrial wastes into the waters of the Commonwealth after the board shall have given notice to discontinue the same as provided in section three hundred two shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and a further fine of ten dollars per day for each day the offense is continued and in default of the payment of such fine and costs the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof may be imprisoned in the county jail for a period not exceeding sixty days]

Any person who shall [continue to] discharge any industrial waste or acid mine drainage into any of the waters of the Commonwealth contrary to the provisions of this act [after conviction in a summary proceeding as above provided shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of any county in which industrial wastes were discharged or introduced into the waters of the Commonwealth or in which such industrial wastes continue to pollute such waters shall be sentenced to pay a fine of not less than [five] one hundred dollars nor more than [one] five thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year All prosecutions under the penal provisions herein set forth shall be instituted and prosecuted by the Attorney General or by and with his written consent

Section 6 Section three hundred ten of said act is hereby amended to read as follows

Section 310 Acid Mine Drainage [and Silt The] Except as hereniafter provided the provisions of this article shall not apply to acid mine drainage [and silt] from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known

It shall be unlawful and a nuisance to discharge or to permit the discharge of acid mine drainage (1) into "clean waters" of the Commonwealth which are being devoted or put to public use at the time of such discharge or (2) into "clean waters" of the Commonwealth unless the Commonwealth after the Sanitary Water Board has approved plans of drainage pursuant to section three hundred thirteen hereof and has set a reasonable time not to exceed one year within which such pipes conduits drains tunnels or pumps as may be necessary to receive such acid mine drainage at the point or points where such acid mine drainage is delivered as provided in this section shall be constructed and put into operation by the Commonwealth has failed to construct and put into operation the same within such time Provided That nothing in this amendatory act shall be construed to limit or affect the provisions of section seven hundred one of the act to which it is an amendment

Whenever the Commonwealth shall provide pipes conduits drains tunnels or pumps to transport and divert acid mine drainage such acid mine drainage shall be delivered to such pipes conduits drains tunnels or pumps at the place or location designated by the Sanitary Water Board after consultation with the Department of Mines and the person or persons operating the mine

Section 7 Said act is hereby amended by adding after section three hundred ten thereof three new sections to be known as sections three hundred eleven three hundred twelve and three hundred thirteen to read as follows

Section 311 Authorizing the Sanitary Water Board to Acquire Easements and Right of Ways by Purchase or Condemnation or Otherwise Whenever in the opinion of the Sanitary Water Board the Pollution by acid mine drainage of waters which were "clean waters" on or subsequent to the first day of January one thousand nine hundred forty-four can be prevented by diverting the discharge of acid mine drainage into polluted or unclean waters the Sanitary Water Board with the approval of the Governor and the Attorney General is hereby authorized and empowered in the public interest to acquire by purchase or eminent domain or otherwise easements or right of ways over under or through lands to be used for the transportation and diversion of the discharge of acid mine drainage into such polluted or unclean waters In such cases the Commonwealth shall pay the cost of the acquisition of such easements and right of ways and of such pipes conduits drains or tunnels and such pumps and pumping equipment as may be necessary or proper to transport and divert such acid mine drainage after it has been delivered to the pipes conduits drains or tunnels aforesaid and of the operation and maintenance thereof including such pumping of the drainage as may be necessary

Section 312 Condemnation Proceedings The Sanitary Water Board is hereby empowered to acquire by purchase or condemnation easements and right of ways for the purposes hereinbefore set forth

Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the

Sanitary Water Board in accordance with the provisions of this act is hereby authorized and empowered to acquire, by condemnation easements and right of ways deemed necessary or convenient to dispose of acid mine drainage so as to prevent the same from entering any clean waters of the Commnowealth in the manner hereinafter provided In such event application shall be made by the Sanitary Water Board acting through the Department of Justice or by the owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to viwe such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General or to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such easements or right of ways and to that end may require the attendance of any person whose testimony may be pertient thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the easements or right of ways they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the board to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the board acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after final action on the report by the court the board acting through the Department of Justice or any person interested may demand a trial by jury. From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the board shall be taken in the name of the Commonwealth

In addition to the foregoing powers the board and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass

Whenever the board decides to acquire any such easements or right of ways by condemnation as hereinbefore provided the board shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the board may proceed to obtain possession in the manner now provided by law

Section 313 Approval of Plans of Drainage Before any existing or new coal mine may be opened or reopened and before any existing coal mine may be continued in operation a plan of the proposed drainage and disposal of industrial wastes and acid mine drainage of such mine shall be submitted to the Sanitary Water Board and it shall be unlawful to open or reopen any such mine or to continue the operation of any mine or to change or alter any already approved plan of drainage and disposal of industrial wastes and acid mine drainage from such mine unless and until the Board after consultation with the Department of Mines has approved such plan or change of plan Provided however that this section shall not apply to the continuation of the operation of an existing mine until sixty (60) days after the effective date of this act

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year

Section 8 This act shall take effect immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

Mr. JASPAN. Mr. President, House Bill No. 1 is commonly known as the Brunner bill. I have given my reasons as to my vote on this bill once before, so therefore there is no need for me to repeat them; they appear in the Legislative Journal.

However, I will say this much to you, Mr. President and members of this Senate, this is a poor imitation of a stream clearance bill and therefore I shall vote "no."

Mr. STIEFEL. Mr. President, this House Bill No. 1 in its present shape reminds me of the famous Barmecideian feast. You will recall in the Arabian Nights the story of Barmecides, who set up empty dishes and feasts in his imagination.

This House Bill No. 1 contains nothing but promises, Mr. President, but since Philadelphia may after all benefit by the removal of silt from the Schuylkill and the elimination of the stench that is always in our nostrils, I am going to cast my vote in the affirmative, hoping that the future will bring improvement.

Mr. JONES. When this bill came over to the Senate, after it had passed the House, it was amended and the amendments were adopted and approved by the Senate, and then it went to a conference committee. When the bill was pasesd in the Senate I voted for it in the form and shape it was in then, but since it has been worked on by the conference committee it is now in such shape that I shall be unable to support and vote for the report of the conference committee.

I appreciate that this administration, including the Attorney General, is interested in pure waters and desires to clear the streams and rivers of the Commonwealth from industrial waste, but we do not want to forget that the process of polluting these waters has continued for many years; it is something that has been recognized and tolerated, and now we undertake at this time to prevent it. But we go further than simply trying to prevent it and restrain it. We undertake by unconstitutional measures and by unconstitutional procedure to impose unlawful burdens upon the coal mines of Pennsylvania.

I say to you that this bill, after the conference committee report, has become wholly unconstitutional. It has become unconstitutional because the conference committee has not adopted the Senate amendments nor has it rejected the Senate amendments, but it has written amendments of its own design. The Constitution of Pennsylvania provides a certain procedure when we undertake to pass a bill and that procedure must be followed.

I read to you section 5, article 3, of the Constitution of Pennsylvania, entitled "Vote on Concurring in Amendments—Reports of Committees of Conference. Section 5. No amendments to bill by one house, shall be concurred in by the other except by the vote of a majority of the members elected thereto, taken by yeas and nays—." "No amendment to bills by one house shall be concurred in." These amendments are not amendments by either House: they are amendments of the conference committee and there is no provision in the law of Pennsylvania for a conference committee to make amendments of its own design to a bill. That is a practice that has sprung up, I have noticed, and it is unlawful and not provided for by the Constitution and wholly invalidates this bill by its irregular passage through the Senate of Pennsylvania.

I say to you, too, that this report of the committee of conference is unconstitutional in another respect. Article 1, section 9 of the Constitution of Pennsylvania provides for "prosecution by indictment or information, a speedy public trial by an impartial jury of the vicinage." Let us retain that in mind for just a moment. This bill, in section 309 at page 11, provides that "Any person who shall discharge any industrial waste or acid mine drainage into any of the waters of the Commonwealth contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions of any county in which industrial wastes were discharged or introduced into the waters of the Commonwealth or"—and here are the important words—" in which such industrial wastes continue to pollute such waters"—in other words, after the waste has entered the stream and it flows down into the river and then on to the oceans, it comes in contact with many counties. Many counties in Pennsylvania are given jurisdiction by this bill, whereby they could institute prosecutions for industrial waste that may collect on the banks of the rivers or the streams within a particular county.

The term "vicinage," as I said, indicates the particular area within a vicinity, for a violation of any offense, but under this bill a citizen of Luzerne county could be prosecuted in Philadelphia, which is a hundred and some miles away, with a great many counties intervening, and therefore not in the vicinage of the violation.

But the bill goes further than that. It provides that this bill shall apply to an association or co-partnership and the members thereof are liable for this violation and if such person be a corporation then the officers, agents, servants and employes thereof may be imprisoned in the county jail for a period of not more than one year.

In other words, every man or boy engaged in coal mining is liable under this bill, because the waters discharged into any stream may contain silt, and that silt may flow into the rivers and streams of the Commonwealth and a particular county may charge that man or boy engaged in coal mining work with a violation of this act. In other words, because a man or boy works to produce coal and because the water used to purify and clear that coal contains silt, which is carried on down into the streams, that makes him a criminal for which he can be prosecuted, in Norristown, in Philadelphia, or in any other county abutting on the stream or river which carries this silt, and it seems to me that is an absurd provision in any law, to penalize a man who works to produce coal.

I now direct your attention again to another provision in this bill, contained in section 313 thereof, being one of the amendments; there is another penalty clause. We have a penalty clause here which provides for a year of imprisonment, and then in section 313 it again provides that "any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than $100 nor more than $1,000," and the same provision as in the previous section. That is something unknown in Pennsylvania, that for the same offense there are two paragraphs providing penalties for violations.

Section 313 also provides, and I am reading from the bill, "before any existing or new coal mine may be opened or re-opened and before any existing coal mine may be continued in operation." The many coal mines in Pennsylvania, before they can continue working further, must comply with this paragraph in the bill which says that they must file their plans and they must have them approved by the Sanitary Water Board and "it shall be unlawful to open or re-open any such mine or to continue the operation of any mine" until those plans are approved. Until the Sanitary Water Board at its discretion, at its arbitrary caprice, will approve the entire plans submitted, every existing mine in Pennsylvania must close down under this law, and if they fail to close down they are subject to these penalties, and if they close down they can not operate their mines and, if that closing continues over a long period of time, it works a virtual confiscation of their property.

I say that is a violation of another provision of the Constitution of Pennsylvania, which provides, before any property can be taken by eminent domain, that property must be paid for and before any property can be charged with this debt there must be due process of law as required by the Constitution of Pennsylvania.

There is still another provision of the Constitution of Pennsylvania, article 3, which provides that the General Assembly shall pass no special law regulating mining. My friends, this is a special law regulating mining, and this is the reason: there are many industrial organizations along the streams and rivers of Pennsylvania that are

discharging their industrial waste into the streams and waters of Pennsylvania, together with the coal mines of Pennsylvania, but these amendments relate only, and this bill relates only, to the regulation of the discharge from the mines of Pennsylvania, and so I say to you there are special provisions in this bill to regulate the mines of Pennsylvania, because it relates to mining by requiring elimination of silt and of mine acid and specifically provides how and when they must be eliminated, but other industrial organizations and their industrial waste is not subjected to the same regulation.

And so I say to you, my friends, that this bill is wholly unconstitutional and, on the other hand, this bill should never have been drawn or these amendments should never have been written to harass and annoy the coal industry of Pennsylvania and probably destroy it.

Now let me ask you what is coal? Coal is a product that has made Pennsylvania; it has furnished the fuel whereby the great industries of Pennsylvania have been able to operate, and in that respect Pennsylvania is outstanding in the United States, providing today for the war effort more equipment and more supplies and more munitions than any other state in the union, because they have right at home their fuel and their energy which runs the industries of Pennsylvania, which produce all these things that help to win the war. Pennsylvania produces the coal which furnishes heat in the winter time and keeps us warm and without which we would have to substitute other fuels.

First let me say how this silt has gathered. A hundred years ago the coal mines were permitting silt to run from their operations into the rivers and streams of Pennsylvania. Fifty years ago, in the case of Commonwealth versus Sanderson, it was decided by the Supreme Court that it was lawful to do so, and for fifty years it has been the law in Pennsylvania that the coal companies may discharge into the waters the discharge from the mines. This discharge from the mines comes from waters that must be used in purifying coal. For every ton of coal there must be twenty tons of water to clean the coal and make it ready for market, and in so doing it creates a great deal of coal dirt, constituting this silt which travels into the streams, and yet, although it has been legal to do so for fifty years, until 1937, there then was passed a law which prohibited it.

This amendment is directed specifically against the further discharge of industrial waste. Even after plants are erected in the coal fields at very enormous expense, this silt, which over the years has gathered along the streams and rivers, will continue to flow on down to the mouth of the river and continue to reach the banks along its course, notwithstanding the fact that the further discharge of silt into the water is already arrested, because over the years the silt has gathered into pockets and into waters where the tide or the flow has not been great, but when we have high streams there is disturbance of those pockets, and disturbance of the levels where the coal silt has gathered, and the silt then is carried on downstream and deposited nearer and nearer the mouths of the rivers of this Commonwealth. For twenty years to come that silt, when the industrial discharge of waste from mines is arrested, will continue to reach the banks adjoining the city of Philadelphia, and yet, if it does reach the banks of the river at the city of Philadelphia, every man and every boy in the coal mines of Pennsylvania is guilty, under these amendments, of a crime.

There is a provision in this bill that sulphur shall not be permitted to enter the streams of the Commonwealth, when the Sanitary Water Board directs that a company cease depositing this sulphur. May I say to you, gentlemen, when that occurs, when sulphur no longer enters into the streams, and the Sanitary Water Board makes its decree, then all coal mining in Pennsylvania must cease; there is no alternative for them but to stop work completely. I say the coal mines of Pennsylvania, under these amendments, are subjected entirely to the arbitrary discretion of the Sanitary Water Board. That board, under these amendments, can destroy the most valuable industry in Pennsylvania, one that has made Pennsylvania, one that is essential to all the states of the union, and one without which we can not get along.

I say to you when that Sanitary Water Board makes that decision and these companies are required to eliminate that sulphur waste, the cost will be so enormous that no one of them can operate. Even when the silt must be eliminated from the discharge the cost is so great for that item alone that every small company in the anthracite fields will go out of business, as they can not afford to set up the plants to purify those waters, and that will leave only the big old line companies to operate, but when the sulphur must be eliminated I promise you, Mr. President, that mining in the coal fields of Pennsylvania will cease.

I think, Mr. President, that we have not handled this proposal in a proper way. We are putting the cart before the horse. We have a great deal of sewage entering into the streams and rivers of Pennsylvania and that sewage is polluting the water of the streams and making it unfit to drink or to use for former purposes of any character. That sewage, under the act of 1937, was to be eliminated, but the stringent proposals of these amendments do not apply to sewage. The provisions of this bill with reference to sewage remain the same as they did in 1937, and yet today sewage is emptied into the streams of Pennsylvania. Without the elimination of sewage it is just folly to try and harass the coal fields of Pennsylvania and the coal mines by requiring them to eliminate waste. It would be highly unfair to industry to try to prohibit the discharge of sulphur into the streams. Sulphur always comes from the mines, even though they do not use it in the washing of the coal; it drains from the mines and collects from the sulphur veins in the mines, and the water running from the mines of Pennsylvania and entering into the streams will always contain sulphur, until these mines eliminate it. Every old abandoned mine that is not operated today carries that same sulphur, and it will continue to enter into the waters and continue to pollute those waters. There is no way of prosecuting an abandoned mine under this act, there is no way to eliminate that provided for in this act, and consequently the sulphur from abandoned mines, and there are numerous of them, will continue to be discharged into the streams of Pennsylvania, notwithstanding any law, unless the Commonwealth itself assumes the burden, at a cost of many millions of dollars, to eliminate it.

So I say to you, Mr. President, there was no necessity

for the stringent provisions of the conference committee amendments in order to try to eliminate the silt from the waters that come from operation of the coal mines.

Mr. DiSILVESTRO. Mr. President, I intend to vote for the Brunner bill even though I am not satisfied with it in its entirety. I know the people of Philadelphia were looking for a better piece of legislation to emanate from the halls of this Legislature.

However, bearing in mind the fact that the Schuylkill river is a great river that flows by Fairmount Park, a place which provides their only relief for many of our poor people who are cooped up in houses in the slums in certain districts around Philadelphia, and in consideration of the fact that maybe this bill will do a little good in removing the stench from the nostrils of those poor people because of that mass of silt that rests in the beautiful Schuylkill river, I intend to vote for the Brunner bill, with the hope and expectation that some future legislation may help to ameliorate conditions along the Schuylkill river.

Mr. ROSENFELD. Mr. President, the Brunner bill has been one of the most controversial bills in the General Assembly this session, I think. If the problem was not such a serious one it would be humorous to detail to you gentlemen a history of the written comment I have received, and I suppose many of you have experienced much the same thing as I have. In the beginning much of my mail was to the effect to please vote for the Brunner bill; as time went by the letters became more demanding, and I was told I had better vote for the Brunner bill; and then finally some change took place in the course of the bill coming through the legislative mill, and I began to receive written communcations to the effect that I should not vote for the Brunner bill.

Editorial comment has been varied, even in the city of Philadelphia, where some of the newspapers have favored the Brunner bill and others have not. My own personal feeling has always been that the last two administrations could have done a good job under the LaRue Act of 1937. However, we must face realities. No job was attempted and no job was done.

To defeat the Brunner bill to me would mean that nothing would continue to be done. If it is the feeling or the desire of this administration that it is willing to do something, and that the basis of doing something is the Brunner bill, then I for one am willing to give the administration that opportunity, so that two years from now we can determine whether it was sincere or not, and for that reason I intend voting for the Brunner bill.

And the question recurring,

Will the Senate adopt the report of the Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Ealy,	Leader,	Taylor,
Berger,	Farrell,	Letzler,	Thomas,
Blass,	Geltz,	Mallery,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Cox,	Holland,	Ruth,	Wilson,
Crider,	Homsher,	Scarlett,	Woodward,
Crowe,	James,	Snowden,	Tallman,
Dent,	Kephart,	Stevenson,	Presiding Officer

NAYS—6

Coleman,	Jones,	Wagner,	Woodring,
Jaspan,	Margie,		

A majority of all the Senators having voted "aye the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 62 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one, (P. L. 149) entitled "Liquid Fuels Tax Law," as last amended, by imposing an additional tax on liquid fuels and providing for the payment thereof into the Motor License Fund.

and has appointed Messrs. L. WOOD, ROYER and O'NEILL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the difference existing between the two houses in relation to said bill.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of West Chester State Teachers' College, to serve until the third Tuesday of January, 1951, and until their successors shall have been appointed and qualified:

Mrs. Irma P. Knauer, Brookwood, Pottstown, Montgomery County.

Frank F. Truscott, 929-33 Land Title Building, Philadelphia, Philadelphia County.

John L. Johnson, 110 South High Street, West Chester, Chester County.

EDWARD MARTIN.

MEMBERS OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Northumberland County Board of Assistance:

Chester Alexander (Republican), 536 Broadway, Milton, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

H. H. Haddon (Republican), Sunbury Daily Item, Sunbury, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

Mattison A. Burt (Republican), 197 North Marshall Street, Shamokin, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Richard McKeever, Shamokin, whose term expired.

Russell Rickert (Republican), 341 South Market Street, Shamokin, Northumberland County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, to fill a vacancy.

Joseph T. Wasilewski (Democrat), 856 Chestnut Street, Kulpmont, Northumberland County, to serve until December 31, 1945, and until his successor is duly appointed and qualified. (Reappointment)

Lester R. Wehry (Republican), 328 West Avenue, Mt. Carmel, Northumberland County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Joseph Zecoski, Mt. Carmel, whose term expired.

Mrs. Natalie Swaboski (Republican), 327 South Poplar Street, Mt. Carmel, Northumberland County, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Ida Butts Morse, Mt. Carmel, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Shamokin State Hospital, for terms of four years, and until their successors are qualified:

Frederick D. Kessler, Northumberland, Northumberland County, to fill a vacancy.

Charles Frye, Bear Valley Avenue, Shamokin, Northumberland County, to fill a vacancy.

William Thew, R. D. 2, Shamokin, Northumberland County, to fill a vacancy.

John Oshinskie, National Dime Bank Building, Shamokin, Northumberland County, to fill a vacancy.

Richard P. Bridy, 26 West Avenue, Mt. Carmel, Northumberland County, to fill a vacancy.

Clayton Stashinski, 124 South Market Street, Mt. Carmel, Northumberland County, to fill a vacancy.

Thomas E. William, 201 West Avenue, Mt. Carmel, Northumberland County, to fill a vacancy.

H. Wilson Clark, Shamokin, Northumberland County, to fill a vacancy.

EDWARD MARTIN.

SENATE BILL No. 573 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time Senate Bill No. 573, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 573, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, 16, by striking out after the word "effective", the following: "immediately upon final enactment," and inserting in lieu thereof, the following: "the first day of July one thousand nine hundred forty-five."

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Letzler,	Tyler,
Berger,	Farrell,	Mallery,	Wade,
Blass,	Geltz,	Scarlett,	Wagner,
Bowers,	Heyburn,	Snowden,	Walker,
Carr,	Homsher,	Stevenson,	Wilson,
Chapman,	James,	Taylor,	Woodward,
Crider,	Jones,	Thomas,	Tallman,
Crowe,	Kephart,	Troutman,	Presiding Officer

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 62

The PRESIDING OFFICER. The Chair announces that the President pro tempore appoints Messrs. SNOWDEN, BOWERS and DENT as a committee of conference on the part of the Senate to confer with a similar committee of the House (previously appointed) to consider the differences existing between the two houses in relation to House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one, (P. L. 149) entitled "Liquid Fuels Tax Law," as last amended, by imposing an additional tax on liquid fuels and providing for the payment thereof into the Motor License Fund.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 574 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time Senate Bill No. 574, on page 2 of today's Calendar.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnerships associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 2, by striking out after the word "effective", the following: "immediately upon final enactment," and inserting in lieu thereof, the following: "the first day of July one thousand nine hundred forty-five."

On the question,

Wil lthe Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of al lthe Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on Senate Bill No. 563, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 563, entitled: "An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties"

Respectfully submit the following bill as our report:

A. EVANS KEPHART,
PAUL M. CRIDER,
CARLETON T. WOODRING,
(Committee on the Part of the Senate.)

HERBERT P. SORG,
ADAM T. BOWER,
EARL CHUDOFF,
(Committee on the part of the House of Representatives.)

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person to sell or offer for sale any surplus properties as defined in the Federal Surplus Property Act of 1944 October third one thousand nine hundred forty-four C 479 58 Stat 765 who or which does business carries on or trades under or in any way uses in dealing with the public directly or indirectly any name which by reason of the inclusion of a word or words such as "army" "navy" "United States" "federal" "treasury" "procurement" "G I" or any others which connote the United States government or its armed forces or any of its departments or agencies has a tendency to lead the purchasing public to believe contrary to fact that the establishment at which such materials or property are offered for sale has some official relationship to the United States government or that all the articles sold or offered for sale are such surplus properties or that the articles there sold are of higher quality and lower prices than those elsewhere obtainable Provided That this act shall not apply to any establishment or business which for five years prior to the effective date of this act has utilized any such terms as part of its trading name

Section 2 No contract to sell sale or any other arrangement concerning the disposition of any such surplus properties shall be made to any person who or which carries or trades under or in any way uses in dealing with the public or intends to use in retailing the same directly or indirectly any name which includes the words quoted or referred to in section one of this act Provided however That this section shall not apply to any establishment or business which for five years prior to the effective date of this act has utilized any such terms as a part of its trading name

Section 3 Any person who wilfully violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five thousand dollars ($5,000) or be imprisoned for not more than one year or both in the discretion of the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,

Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 839, on final passage, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 877, as follows:

An Act to further amend sections sixteen and seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales and further providing for the reimbursement to the county for moneys spent on such property in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby further amended to read as follows

Section 16 When the county commissioners shall purchase any real property at a county treasurer's sale, they shall provide a book wherein shall be entered (a) the name of the person as whose land the same was sold (b) a brief description of the property together with any lot and block number (c) the amount of taxes interest and costs for which it was sold Such property should not so long as it remains the property of the county be charged in the duplicate During the redemption period following such sale if the land remains unredeemed the commissioners shall in separate columns in the same book charge every such tract of land with like county city borough town township school and poor taxes as would have been chargeable against the land had the same not been purchased by the county commissioners The right of redemption of lands [heretofore] purchased by the county commissioners shall remain in the real owner of such lands or other persons interested [for five years after such sale to the county commissioners and of all lands hereafter purchased by the county commissioners such right shall remain] for two years after such sale and such redemption may be accomplished by a payment within such period to the county treasurer of first all taxes interest and costs due thereon at the time of sale and interest thereon and also second the taxes and interest which have been annually levied and charged thereon after the sale and interest thereon beginning on the first day of January in the year succeeding the year when the respective taxes were levied and also third all moneys expended by the county in the demolition and removal of any building or structure on such property or the repair thereof in order to make the same safe pursuant to an order by the authorities of the political subdivision in which the property is located after such building or structure had been condemned as unsafe and also forth all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menance or hazard All redemptions of property purchased by the county commissioners shall be noted upon their records and the county treasurer shall forthwith cause an entry of redemption to be made on the records in like manner as if such property were purchased by other than county commissioners

Section 2 Section seventeen of said act as reenacted and amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 364) is hereby further amended to read as follows

Section 17 If the owner of any real property his heirs or legal representatives or lien creditor his heirs assigns or legal representatives or other person interested in property so purchased by the county commissioners shall not redeem the same within such period of redemption the county commissioners may after the expiration of such period sell such lands at public sale [or] as provided by this act or at private sale in the manner provided by law for such private sales for the best price or prices obtainable but they shall not be obliged to sell same Any such lands now owned by the county for which the redemption period has expired including property heretofore exposed to sale by the county commissioners and for which no bids have been received may be sold as herein provided at any time after the effective date of this act but shall not be required to be sold After any such sale or in the case of any redemption the property shall be charged by the assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes as other lands

The county commissioners before making public sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sales particularly designating the tracts that are to be sold This notice shall be inserted in at least two newspapers published in the county if so many are published in said county if there be only one then in such newspaper published in the county

Such advertisement shall set forth

(a) The purpose of such sale

(b) The time of such sale

(c) The place of such sale

(d) The terms of such sale

(e) A list of seated lands affected and their location and the owner or reputed owner of each

Where any such public sale has been advertised under the provisions of this section prior to this amendment and such sale not having been held the readvertisement of such sale need not be advertised three consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale and include the purpose the time the place and the terms of such sale with a reference to the prior advertisement

The county commissioners may fix an upset price to be realized for any property exposed to sale by them as aforesaid sufficient to pay first all costs second all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is located third all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menance or hazard and fourth all tax claims against the property including tax liens of the Commonwealth tax liens filed in the prothonotary's office of the proper county taxes returned to the county commissioners and entered upon the Tax Return Docket in their office and indexed in the tax lien index in their office fifth all accrued but unfiled taxes assessed and levied against the property and sixth the amount of the municipal claims against the property In case the upset price shall not be bid for the property the county commissioners may postpone the sale and file their petition in the court of common pleas of the proper county setting forth that the property was purchased by them at a county treasurer's sale for unpaid taxes that more than two years has elapsed since the property was sold to them by the county treasurer that neither the owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representatives or other person interested has redeemed the property that they exposed the property to public sale that before exposing the property to public sale they fixed an upset price as above provided and that they were unable to obtain a bid sufficient to pay said upset price Upon the presentation of such petition accompanied with searches showing the state of the record and the ownership of the property and of all municipal claims mortgages and ground rents against the same which were not divested by the county treasurer's sale the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective mortgages municipal claims and ground rents If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court without further advertisement clear of all mortgages municipal claims and ground rents to the highest bidder at such sale and the proceeds realized therefrom shall be distributed to payment first of the costs of sale second the tax liens of the Commonwealth if any third all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is located fourth all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard fifth taxes due the various taxing districts in propotion to their respective interests [fourth] sixth municipal claims due on such property and [fifth] seventh mortgage and other liens in order of their priority The purchaser at such sale [or any owner who redeems as hereinafter provided] shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind Provided however That any owner of the property so sold may within ten days after the date of the said sale redeem the property so sold upon payment of the bid price and the costs of sale and a penalty of ten per centum (10%) of the bid price which penalty shall be distributed as a part of the proceeds of the sale

After such sale the county commissioners shall make and deliver a deed being acknowledged before an officer authorized to acknowledge deeds Where the sale is made without securing an order of court as aforesaid such deed shall pass such title as the county commissioners have a right to convey but where the sale is made after securing an order as aforesaid such deed shall pass title free clear and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind

All public or private sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county and all deeds and conveyances given by the county for any such lands are hereby ratified confirmed and validated and the purchasers thereof and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the county therein notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made

Section 3 The provisions of this amendment shall become effective immediately upon final enactment and shall be effective as to properties heretofore or hereafter sold by any county providing distribution of the proceeds thereof has not been made and as to moneys heretofore or hereafter expended for the demolition removal and repair of structures on such properties

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 24, as follows:

An Act to amend subsection (a) of section two of article two of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by making the mayor of any such city eligible to such office for one successive term

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section two of article two of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" is hereby amended to read as follows

Section 2 (a) The mayor shall be chosen at the municipal election and shall hold office for the term of four years until his successor is elected and qualified [but shall not be eligible to the office for the next succeeding term] He shall be eligible to the office for one successive term and shall not thereafter be eligible for a successive term

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman, Presiding Officer

NAYS—1

Ealy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 63, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating the necessity of proclaiming the names of persons elected to certain offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand four hundred and thirteen one thousand four hundred and fifteen and one thousand four hundred and sixteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 1413 United States Senators Representatives in Congress Certificates of Election Returns Upon completing the tabulation of any election for United States Senator or Representative in Congress the Secretary of the Commonwealth shall lay the same before the Governor who shall immediately issue certificates of election under the seal of the Commonwealth duly signed by himself and attested by the Secretary of the Commonwealth and deliver the same to the candidates receiving the highest number of votes for the respective offices The Governor shall also transmit the returns of such election to the President of the United States Senate in the case of the election of a United States Senator and to the Speaker of the House of Representatives of the United States in the case of the election of representatives in Congress [The Governor shall issue his proclamation declaring the names of the persons elected to the offices of United States Senator and Representative in Congress]

Section 1415 Governor and Other State Officers Judges Certificates of Election Commissions The Secretary of the Commonwealth at the first meeting of the General Assembly following the election of a Governor Lieutenant-Governor Secretary of Internal Affairs Auditor General or State Treasurer shall deliver to the president of the Senate the returns of elections for all such offices who shall open and publish them in the presence of members of both houses of the General Assembly The person receiving the highest number of votes for the respective offices shall be declared elected thereto and certificates of such elections shall be made and filed with the Secretary of the Commonwealth The Secretary of the Commonwealth shall immediately lay before the Governor such certificates of election except the certificate of election of Governor whereupon the Governor shall issue [a proclamation of the election of such persons and issue] a commission to each person so elected The Secretary of the Commonwealth shall immediately after tabulating and computing the returns of each election of Judge of the Supreme Court of the Superior Court and of every other court of record certify the result thereof to the Governor who shall immediately [declare by proclamation the name of the person so elected and shall] issue a commission to such person

Section 1416 Presidential Electors [Proclamation] Certificates of Persons Elected The Secretary of the Commonwealth on receiving and computing the returns of the election of presidential electors shall lay them before the Governor who shall enumerate and ascertain the number of votes given for each person so voted for and shall [thereupon declare by proclamation the names of the persons duly elected He shall also] cause a certificate of election to be delivered to each person so chosen

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 66, as follows:

An Act making an appropriation to the Department of Forests and Waters for improvement and development of the Ports of Philadelphia Chester Pittsburgh and Erie

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the improvement and development of the Ports of Philadelphia Chester Pittsburgh and Erie

Section 2 The amounts to be allocated to each port shall be recommended by the Secretary of Forests and Waters and approved by the Governor

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 67, as follows:

An Act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twelve million three hundred twenty-five thousand dollars ($12,325,000) or so much thereof as may be necessary is hereby appropriated to the Department of Health for the following purposes (1) for the acquisition by purchase or condemnation of land the construction and equipment of a State Health Laboratory the construction of new buildings and facilities the repair and improvement of existing buildings and facilities and the purchase of furnishings and equipment for the State Sanatoria and the Crippled Children's Hospital (2) for payment by the Commonwealth of a share not to exceed fifty percent (50%) of the cost of preparing engineering and architectural plans and estimates for the construction of plants for the treatment of sewage or industrial waste to be constructed by muicipalities municipal authorities and private corporations to end stream pollution and for the payment by the Commonwealth of a share of the cost of constructing such plants for the treatment of industrial waste (3) for labor and supplies necessary in the work of sealing abandoned coal mines (4) for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and (5) for conducting experiments and research to determine approved methods for controlling stream pollution and treating sewage acid mine drainage and industrial waste

Section 2 Within the meaning of this act the word "construction" shall include in addition to the construction of new buildings the altering improving adding to or replacing of existing buildings the construction of sewage treatment plants reservoirs water supply systems electrical and other facilities the altering improving adding to or replacing of existing sewage treatment plants reservoirs water supply systems electrical and other facilities the purchase and installation of all necessary equipment in new buildings and the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 3 The amounts to be expended for any of the foregoing purposes shall be recommended by the Secretary of Health and approved by the Governor

Section 4 Allocations for the acquisition by purchase or condemnation of land the construction and equipment of a State Health Laboratory the construction of any buildings and facilities the repair and improvement of existing buildings and facilities and the purchase of furnishings and equipment for the State Sanatoria and the Crippled Children's Hospital shall be expended by the Department of Property and Supplies in accordance with the provisions of The Administrative Code of one thousand nine hundred twenty-nine as amended

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margle,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the house of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 68, as follows:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respcet to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State Parks and for the development thereof and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owner for payment by the Commonwealth of a share of the cost of preparing plans and estimates for the construction of plants for the treatment of industrial waste and for the payment by the Commonwealth of a share of the cost of constructing such plants for conducting experiments and research to determine approved methods for controlling stream pollution and treating acid mine drainage and industrial waste and for the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighteen million five hundred thousand dollars ($18,500,000) or so much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and for the development and use thereof for reforestation forest protection silvicultural operations forest recreation and other forest work for acquisition by purchase condemnation or gift of lands buildings or other properties for State Parks and for the development thereof for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control for the encouragement by demonstration or otherwise of proper forest practices by private land owners for payment by the Commonwealth of a share of the cost of preparing engineering and architectural plans and estimates for the construction of plants for the treatment of industrial waste to be constructed by private corporations or other industrial enterprises to end stream pollution and for the payment by the Commonwealth of a share of the cost of constructing such plants for conducting experiments and research to determine approved methods for controlling stream pollution and treating acid mine drainage and industrial waste and for the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment

Section 2 The amount of this appropriation to be expended for any of the purposes enumerated in Section 1 shall be determined by the Secretary of Forests and Waters with the approval of the Governor

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margle,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Coleman,	Holland,	McGinnis,	Wagner,
Cox,	Homsher,	Rosenfeld,	Walker,
Crider,	James,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,
DiSilvestro,	Kephart,	Stevenson,	Tallman,
			Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 94, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars ($300,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie for completing the system of jetties and bulkheads for the protectio nand preservation of the State Park and State Highway on Presque Isle Peninsula at Erie by construction of bulkheads new jetties repair of or extension of present jetties with such material and design as determined or approved by engineers under the jurisdiction of the Department of Forests and Waters of the Commonwealth of Pennsylvania and the Corps of Engineers of the United States War Department

Section 2 The sum of three hundred thousand dollars ($300,000.00) appropriated in section one hereof shall be expended for purposes outlined in said section in amounts to conform to a systematic progressive program of pro-

tection and improvement as permitted by war and post war regulations authorizing the use of construction material

Section 3 The sum of three hundred thousand dollars ($300,000.00) appropriated herein or as much thereof as may be necessary to complete the jetty system of shore protection shall be made available in amounts and at such times as war and post war regulations permit the proposed construction

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margle,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 123, as follows:

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further fixing the fee for filing nomination petitions for the office of county auditor in counties of the eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause three of subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred forty-one (P. L. 212) is hereby further amended to read as follows

Section 913 Place and Time of Filing Nomination Petitions Filing Fees

* * * * *

(b) Each person filing any nomination petition shall pay for each petition at the time of said filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order only Said certified checks or money orders shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

* * * * *

3 If for the offices of senator or representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector or county auditor in counties of the eighth class the sum of twenty-five dollars ($25.00) if for the office of jury commissioner or associate judge the sum of ten dollars ($10.00) if for the office of county auditor in counties of the eighth class the sum of five dollars ($5.00) if for the office of prison inspector the sum of two dollars ($2.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margle,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 138, as follows:

An Act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purposes of this act a limited access highway is defined as a public highway to which owners or occupants of abutting property or the traveling public have no right of ingress or egress to from or across such highway except as may be provided by the authorities responsible therefor A local service highway is defined as a public highway either existing or new or combination thereof parallel or approximately parallel to the limited access highway which will provide ingress or egress to or from highways or areas which would otherwise be isolated by the construction or establishment of a limited access highway

Section 2 (a) The Secretary of Highways with the approval of the Governor is hereby authorized to declare any State highway route or part thereof now or hereafter established to be a limited access highway

(b) Whenever the establishment of a limited access highway will facilitate the movement of traffic the Secretary of Highways with the approval of the Governor is hereby authorized to lay out new highways take over existing highways or parts thereof and declare the same to be a limited access highway to be constructed and maintained as a State highway

(c) The authorities of any political subdivision of the Commonwealth are hereby authorized to declare any existing or new highway or part thereof now or hereafter under their jurisdiction and countrol to be a limited access highway and to construct and maintain the same

(d) The designation of a limited access highway in a city by either the Secretary of Highways or by the commissioners of the county in which the city is located shall be subject to the approval of the city as evidenced by an ordinance duly passed in accordance with the law

Section 3 The Secretary of Highways with the approval of the Governor or local authorities in connection with the designation or construction of a limited access highway may lay out or construct local service highways Such local service highways shall be so located as to permit the establishment by private owners or their lessees of adequate fuel and other service facilities for the users of limited access highways The location of such facilities may be indicated to the users of the limited access highways by appropriate signs the size and location of which shall be determined by the authorities having juirsdiction No commercial enterprise or activity shall be located or authorized by the state or by any political subdivision thereof within or on any public property which is part of the right of way of any limited access highway

Section 4 In the establishment or construction of limited access highways the authorities responsible therefor shall have the power to eliminate intersections at grade with other highways by the construction of grade separation structures by the closing of such intersecting highways at the right of way lines of the limited access highway or by relocating such intersecting highways as in their discretion will best serve the public interest

Section 5 Where the Secretary of Highways proceeds under the authority of this act he shall have authority to construct and maintain any tunnel bridge culvert drainage structure or other structure or appurtenances incidental thereof other than sanitary sewers as may be necessary in the construction of the limited access highway Provided however that the Secretary of Highways shall have authority to replace reconstruct or restore existing sanitary sewers

Section 6 The establishment of a limited access highway or a local service highway by the Secretary of Highways as herein provided shall be by a plan approved by the Governor and filed in the office of the recorder of deeds of the proper county at the expense of the county The establishment of a limited access highway or a local service highway by the authorities of any political subdivision of the Commonwealth as herein provided shall be in the same manner as now or hereafter provided by law for the opening widening or relocating of highways by such political subdivision

Section 7 After the establishment of a limited access highway it shall be unlawful to establish or lay out any new highway intersecting the limited access highway except by and with the consent of the authorities responsible for the limited access highway

Section 8 The taking of private property and the payment of damages therefor in the construction or designation of a limited access highway or local service highway by the Secretary of Highways shall be in the same manner as now or hereafter provided by law for the relocation or widening of State highways provided however that the Secretary of Highways shall have authority to enter into agreements for the sharing of the cost of property damages with the officials of any political subdivision of the Commonwealth which assumes such responsibility by proper resolution or ordinance The taking of private property and the payment of damages therefor by the authorities of any political subdivision of the Commonwealth shall be in the same manner as now or hereafter provided by law for the relocation or widening of highways by the political subdivision in which such highway is located

Section 9 The authorities responsible for the maintenance of limited access highways shall have exclusive jurisdiction over the control of the use of such highways and by the erection of appropriate signs may control the ingress and egress of vehicles thereto therefrom and across and the parking and speed of vehicles thereon or may exclude any class or kind of traffic therefrom and by the erection of signs or the construction of curbs painted lines or other physical separations provide separate traffic lanes for any class of traffic or type of vehicle Provided however that nothing herein contained shall restrict the authority or jurisdiction of any peace officer as defined in The Vehicle Code from enforcing such control over traffic or parking as have been or may be established for limited access highways and provided further that the provisions of The Vehicle Code not superceded by the provisions of this act shall be and remain in full force and effect for the use and operation of motor vehicles on limited access highways It shall be unlawful for any person to violate any parking or speed restrictions or traffic control established for a limited access highway as provided herein and any person violating such restriction or control shall in a summary proceeding be subject to a fine of not less than five ($5) dollars nor more than twenty-five ($25) dollars and costs of prosecutions or imprisonment for one day for each dollar of fine and costs remaining unpaid

Section 10 Maintenance of a limited access highway shall include the removal of snow the maintenance of curbs shoulders ditches and slope areas and may include the planting and trimming of trees grasses shrubs and vines on the right of way or slope areas

Section 11 It shall be lawful for any political division of the Commonwealth to make a contribution to the Department of Highways toward the cost of the establishment or improvement of a limited access highway or local service highway by the Department of Highways or toward the cost of maintenance of a limited access highway by the Department of Highways It shall be lawful for any county and any of its political subdivisions to enter into agreements for the sharing of any or all costs of the establishment or improvement of limited access highways and local service highways

Section 12 Local service highways constructed under authority of this act shall upon completion of construction be maintained by and at the expense of the political subdivision in which they are located

Section 13 Except as herein provided the powers granted under the provisions of this act shall not change alter or diminish any authority or right now or hereafter vested by law in the Secretary of Highways or the officials of any political subdivision of the Commonwealth relating to highways

Section 14 So much of the money in the Motor License Fund as may be necessary from time to time is hereby specifically appropriated to the Department of Highways for carrying out the provisions of this act The political subdivisions of the Commonwealth are authorized to provide funds for the establishment construction or maintenance of limited access highways or local service highways in the same manner as now or hereafter pro-

vided by law for the improvement or maintenance of highways

Section 15 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional by any court of competent jurisdiction the decision of the court shall not affect or impair any of the remaining provisions of this act

Section 16 This act shall become effective upon its final approval

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 139, as follows:

An Act making an appropriation to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers the Pennsylvania Soldiers' Orphan School the Thaddeus Stevens Industrial School the Pennsylvania Oral School for the Deaf at Scranton the Pennsylvania State College historical monuments markers or properties in the custody of the Pennsylvania Historical Commission for purchase or condemnation of land for construction of new buildings for repair and alteration to and replacement of existing buildings and for architectural and engineering services for fixtures equipment sewage treatment plants water supply and electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of eight million dollars ($8,000,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers the Pennsylvania Soldiers' Orphan School the Thaddeus Stevens Industrial School the Pennsylvania Oral School for the Deaf at Scranton the Pennsylvania State College historical monuments markers or properties in the custody of the Pennsylvania Historical Commission for the purchase or condemnation of land for the construction of new buildings for altering improving adding to or replacing existing buldings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchases and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for any of the purposes enumerated in Section 1 hereof shall be determined by the Governor after recommendation by the Department of Public Instruction

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 148, as follows:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July second one thousand eight hundred and sixty-two granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved April first one thousand eight hundred and sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of six million fourteen thousand dollars $6,014,000 is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and forty-five to the Trustees of the Pennsylvania State College for the following purposes

(a) For the general maintenance of instruction research and extension in the School of Agriculture the Mont Alto State Forest School the School of Engineering

the School of the Liberal Arts the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education and Athletics for the general maintenance of other schools departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable the sum of five million six hundred sixty-nine thousand dollars ($5,669,000)

(b) For the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation to be used by the School of Mineral Industries under the supervision of the Department of Mines the sum of seventy thousand dollars ($70,000) Provided however That the moneys appropriated by this paragraph shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth has been procured and made available by the members of the anthracite and bituminous coal industry

(c) For the use of the School of Agriculture for expenditure by the Agriculture Experiment Station for the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products the sum of one hundred and fifty thousand dollars ($150.000)

(d) For the support of research and investigation of basic problems affecting the slate industry the sum of thirty-five thousand dollars ($35,000)

(e) For the support of research and investigation of long range basic problems affecting the mineral industries the sum of forty thousand dollars ($40,000)

(f) For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty thousand dollars ($50,000) Provided That no more shall be expended from this item than may be required to match an equal sum contributed by one or more industries for such research and investigation Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margle,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 156, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other utility facilities.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer an amendment on behalf of the Chairman of the Committee on Appropriations.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 2, page 2, line 18 by striking out after the word "than" and before the word "of" the following: "six million dollars ($6,000,000)" and inserting in lieu thereof the following: eight million dollars ($8,000,000).

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 163, on third reading, entitled:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administratve departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salary of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and

other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for reglation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth

be recommitted to the Committee on Education.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 170, as follows:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred seventy-five thousand dollars ($375,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Commerce out of the Motor License Fund for the two fiscal years beginning June first one thousand nine hundred forty-five for the following purposes (a) for the proper conduct of the work of the department in advertising publicizing and otherwise promoting the tourist travel facilities advantages and attractions of the Commonwealth or any political subdivision thereof in the manner provided in the Commerce Law the sum of three hundred twenty five thousand dollars ($325,000) to be transferred from time to time from the Motor License Fund to the General Fund in such amounts as the Secretary of Commerce with the approval of the Governor shall direct the sums so transferred to be credited to the current appropriation made to the Department of Commerce out of the General Fund (b) for the proper conduct of the work of the Pennsylvania Aeronautics Commission including payment of expenses of the Commission and the salaries wages or other compensation of an Executive Director and other employes for the payment of general expenses supplies printing equipment and maintenance and repairs of landing field intermediate landing fields landing field equipment beacons sites other air navigation facilities and for the encouragement and development of civil aeronautics the sum of fifty thousand dollars ($50,000) which sum of fifty thousand dollars ($50,000) however shall be repaid into the Motor License Fund on or before May thirty-first one thousand nine hundred forty-seven out of money hereinafter appropriated to the said Department of Commerce

Section 2 So much of the moneys as shall be determined by the Department of Revenue in the Motor License Fund as are derived after May thirty-first one thousand nine hundred and forty-five from the tax on liquid fuels sold for use in aircraft is hereby specifically appropriated to the Department of Commerce for the following purposes (a) for repayment into the Motor License Fund on or before May thirty-first one thousand nine hundred forty-seven of the sum of fifty thousand dollars ($50,000) appropriated in the foregoing section to the said Department for temporary use by the Pennsylvania Aeronautics Commission and (b) for the proper conduct of the work of the Pennsylvania Aeronautics Commission including payment of expenses of the Commission and the salaries wages or other compensation of an executive director and other employes for the payment of general expenses supplies printing equipment and maintenance and repairs of landing fields intermediate landing fields landing field equipment beacon sites other air navigation facilities and for the encouragement and development of civil aeronautics

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 255, as follows:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on unpaid delinquent county city borough town township school district poor district and county institution district taxes for the tax year one thousand nine hundred forty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated if the unpaid delinquent taxes are paid as hereinafter provided if the authority levying the tax shall have notified the county treasurer within thirty days after this act becomes effective that the taxing authority has accepted by a majority vote the provisions of this act

In order to receive the benefits of the installment system of payment provided by this act thirty-three and one-third per centum (33 1/3%) or more of the unpaid delinquent taxes due for the year one thousand nine hundred forty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred forty-five thirty-three and one-third per centum (33 1/3%) or more on or before the first day of November on thousand nine hundred forty-six and the unpaid balance on or before the first day of November one thousand nine hundred forty-seven Provided That the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred forty-five together with any interest and penalties due thereon shall be paid on or before the first day of November one thousand nine hundred forty-five And provided further That the respective current taxes on such parcel or parcels of real estate assessed and levied by such

taxing authority for the years subsequent to the year one thousand nine hundred forty-five during such installment periods shall be paid before they become delinquent for the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that even the total amount of the abated penalties and interest shall be received and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such delinquent taxes for the year one thousand nine hundred forty-four and previous years at any time on or before November first one thousand nine hundred forty-five by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred forty-five shall be required at the time of such payment

Section 3 This act shall be construed to apply to all such taxes whether or not such taxes have been returned to the commissioner's office or to the treasurer of any city for nonpayment or liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or county institution district at a tax sale or a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or county institution district at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitors fees where such taxes have been returned for nonpayment or liens therefor have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The county commissioners of each county shall at the cost of the county cause to be published two times in not more than two newspapers of general circulation throughout the county and in the legal newspaper if any a notice to the taxpayers giving a synopsis of the terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such political subdivision showing the face amount the penalty if any and any costs or other charges in detail against such real property as shown by the records in his custody

Every collector of taxes whose duty it is to send to the respective taxpayers any notice or statement of their annual taxes shall include in each such notice or statement an additional notice of the date when the next installment payment is due under the provisions of this act

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred forty-five except as herein otherwise provided The aforesaid provision shall not be construed to prohibit the commencing of proceedings leading up to a sale but only the actual sale In counties of the second class the county treasurer and in cities of the second class the city treasurer may hold their respective tax sales of real property as provided by existing law unless the owner of any such property to be sold at any such sale or any one interested in such property shall prior to such sale pay the first installment as hereinbefore provided of the delinquent taxes charged against such property and for which it is to be sold If the first installment of any such taxes shall be paid in order to prevent the tax sale as aforesaid the taxpayer making such payment shall still be required to pay the current taxes before they become delinquent as hereinbefore provided in order to secure the benefits of this act Any tax sale shall be adjourned or readjourned or right of redemption extended as often as may be necessary for the purpose of this section If any tax sale is adjourned or readjourned or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjourned sale or right of redemption No such adjournment or readjournment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said delinquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 The act approved the first day of May one thousand nine hundred forty-one (P. L. 31) and the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 323) shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 9 Any taxpayer who has made any payment or payments on delinquent taxes under the provisions of any of the acts referred to in section eight above but who has defaulted in any payment required by such act may secure the benefits of this act by making payments on the balance due on all taxes covered by the provisions of this act whether or not covered by the abatement act under which he was previously making payments

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Gourley,	Mallery,	Taylor,
Berger,	Haluska,	Margie,	Thomas,
Blass,	Holland,	McCreesh,	Troutman,
Bowers,	James,	McGinnis,	Tyler
Coleman,	Jaspan,	Rosenfeld,	Walker,
Dent,	Jones,	Ruth,	Woodring,
DiSilvestro,	Kephart,	Snowden,	Woodward,
Farrell,	Klein,	Stiefel,	Tallman,
Geltz,	Leader,		Presiding Officer

NAYS—11

Becker,	Cox,	Ealy,	Wade,
Carr,	Crider,	Heyburn,	Wilson,
Chapman,	Crowe,	Stevenson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 273, as follows:

An Act to further amend the third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by section two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 286) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones

* * *

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any deceased service person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person she had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expense shall not exceed the sum of fifty dollars ($50.00) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet Provided however That in cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties hereinbefore set forth No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

Section 2 The provisions of this act shall become effective ten days after its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 276, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first

landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropration

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 288, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone and the farm where he was born and to provide for the control management supervision improvement preservation and maintenance thereof and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 288, on final passage, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 326, as follows:

An Act making an appropriation to the Department of Welfare for the payment of the cost of bulding a protective wall along the bank of the Ohio River roof repairs steel beam supports and renewal of piping in power plant and one new generator all at the Dixmont Hospital Dixmont Allegheny County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Secton 1 The sum of nineteen thousand four hundred fifty dollars ($19,450) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of constructing a protective rock wall along the bank of the Ohio River on the property of The Dixmont Hospital Dixmont Allegheny County Pennsylvania

Section 2 The sum of fifteen thousand dollars ($15,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of making necessary repairs to the roofs of existing buildings at The Dixmont Hospital Dixmont Allegheny County Pennsylvania

Section 3 The sum of twenty thousand dollars ($20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of renewing the piping in the existing power plant at the Dixmont Hospital Dixmont Allegheny County Pennsylvania

Section 4 The sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of purchasing constructing and installing steel beam supports to replace wooden supports and raising and renewing roof in the existing power plant at the Dixmont Hospital Dixmont Allegheny County Pennsylvania

Section 5 The sum of Fifteen Thousand Dollars ($15,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of purchasing and installing soot blowers and motor generating equipment and appurtenances in the existing power plant at The Dixmont Hospital Dixmont Allegheny County Pennsylvania

Section 6 The amounts appropriated in the foregoing sections of this act shall be available to pay the entire cost of the aforesaid additional facilities repairs and improvements including the cost of such plans specifications advertising for bids supervision and architectural and engineering services as may be necessary in connection therewith

Section 7 The amount of the foregoing appropriations to be expended for any of the purposes aforesaid shall be determined with the approval of the Governor by the Department of Welfare

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I will speak on House Bill No. 326 and House Bill No. 328 at the same time. The only observation I want to make is that these two bills deal with a private mental institution known as the Dixmont Hospital. We passed a bill earlier in the session which will enable the Commonwealth to take over private mental institutions. If the purpose behind passage of these two bills is to enable the Commonwealth to take over the Dixmont Hospital, then we are justified in passing these two bills. but if it is not the purpose of the Commonwealth to take over this institution then we have no legal right to pass these two bills. In the first place we are appropriating $1,000,000 for the use of this institution for purposes other than to take care of indigent mental patients. This money is being appropriated for piping in a power plant, for the purchase of one new generator, for roof repairs and other material needs. There is no statute upon the statute books of the state that would allow us to do this, other than I believe the purpose behind this is that the repairs are necessary, the repairs must be made, and the Commonwealth intends to take over this institution. I submit, however, if the Commonwealth does not take over this institution, then we have no business passing these bills. We hope they intend to take them over. I am asking my colleagues to vote "aye".

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,

Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 328, as follows:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital Dixmont Allegheny County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred and seventy-six thousand dollars ($976,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for and during the two fiscal years beginning June first one thousand nine hundred forty-five to pay for the care treatment removal and maintenance of the indigent insane at The Dixmont Hospital Dixmont Allegheny County Pennsylvania at a rate not exceeding the actual cost of such care treatment and maintenance of such indigent patients in said hospital after deduction of the amounts paid to said hospital by the respective counties or poor districts from which such indigent patients shall have come

No warrant shall be drawn or settlement made until the directors or managers of the hospital shall have made on oath or affirmation to the Department of Welfare a monthly or quarterly report as may be required by the Department of Welfare setting forth the actual total number of weeks of service rendered to indigent patients in said hospital during the period for which the report is made and the amounts received by said hospital during such period from the counties or poor districts from which such indigent patients shall have come nor until the Secretary of Welfare shall have certified to the Auditor General that the monthly or quarterly report of the cost of such care and treatment contains no charge except for such care treatment removal and maintenance

Section 2 It shall be the duty of the directors or managers of the hospital to make on oath or affirmation to the Department of Welfare a report on the fifteenth day of June one thousand nine hundred forty-five setting forth the name of each and every indigent patient resident in the hospital on the first day of June preceding Such list shall show the date of admission or re-admission of each such patient the identification number of such patient and the county or poor district from which such patient was committed

Each month or quarter thereafter during the period covered by this appropriation as may be requested by the Secretary of Welfare the directors or managers of the hospital shall make on oath or affirmation a report to the Department of Welfare setting forth the name of each indigent patient admitted or re-admitted during the period of the report together with the identification number of such patient the date of admission or re-admission the county or poor district from which such patient was committed and the amount received from such county or poor district for the maintenance of such patient during the period of the report Such report shall also contain the name of each indigent patient removed from the hospital by death discharge or parole together with the identification number of such patient the date of removal and the county or poor district from which such patient was committed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 337, as follows:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred forty-one (P. L. 212) is hereby further amended to read as follows

(b) Each person filing any nomination petition shall

pay for each petition at the time of said filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order only Said certified checks or money orders shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars ($50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars ($35.00)

3 If for the offices of senator or representative in the General Assembly for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector the sum of twenty-five dollars ($25.00) if for the office of jury commissioner or associate judge the sum of ten dollars ($10.00) if for the office of prison inspector the sum of two dollars ($2.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

4 If for any borough town township of the first class school district or poor district office not otherwise provided for the sum of two dollars ($2.00)

[Provided however that no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law]

5 If for judge or inspector of election or for any other public office not included hereinabove the sum of fifty cents ($.50)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars ($10.00)

7 If for any other party office the sum of fifty cents ($.50)

8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)

Provided however that no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public officer in any township of the second class.

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 376, as follows:

An Act to further amend section six (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 322) entitled "An act to revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships" as last amended by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General and the Attorney General to compromise and settle claims for bonus interest and penalties thereon in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six (d) of the act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 322) entitled "An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 609) is hereby further amended to read as follows:

Section 6 Returns Reports Penalties Settlement or Assessment Collection Lien * * * (d) Bonus due the Commonwealth shall bear interest at the rate of six per centum (6%) per annum from the date it is due and payable [until sixty (60) days after its due date and thereafter at the rate of twelve per centum (12%) per annum until paid except that any bonus due as a result of an appeal in the court of common pleas or any appellate court shall bear interest at the rate of six per centum (6%) per annum from the date such tax is due and payable] until paid

The payment of interest as aforesaid shall not relieve any corporation from any of the penalties imposed by law for neglect or refusal to make a report or return to the Secretary of the Commonwealth or to pay any bonus due the Commonwealth from such corporation

Section 2 Said act is hereby further amended by adding after section seven thereof as amended a new section to be known as section seven and one-tenth to read as follows

Section 7.1 If any corporation bank trust company or partnership required to pay bonus under the provisions of this act is indebted to the Commonwealth for such bonus or interest or penalties thereon or for such bonus and interest and penalties thereon shall have gone into liquidation become insolvent ceased to carry on business or has no known or available property in this or any other State which may be seized in execution of process issued out of any court of this or any other State or if the property of such corporation bank trust company or partnership is insufficient to pay the bonus and interest and penalties or the bonus or interest or penalties due the Commonwealth the Secretary of the Commonwealth

may with the approval of the Auditor General and the Attorney General compound compromise or settle such bonus and interest and penalties or such bonus or interest or penalties on such terms as said officials may determine to be for the best interest of the Commonwealth and any lien of the Commonwealth for such bonus and interest and penalties or for such bonus or interest or penalties shall be reduced to the amount of such bonus and interest and penalties or such bonus or interest or penalties as so compounded compromised or settled

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 438, as follows:

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements prohibiting the sale of real property for the non-payment of such claims for a certain period preserving the liens of such claims and providing for the extention thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unpaid interest charges and penalties added to any and all delinquent municipal claims imposed or assessed or any parcel or parcels of real estate in the year one thousand nine hundred forty-two and all previous years filed by any cities boroughs incorporated towns or townships to recover for the grading guttering macadamizing or otherwise improving the cartways of any public highway for grading curbing recurbing paving repaving constructing or repairing the footways thereof for laying water pipes gas pipes culverts sewers branch sewers or sewer connection therein for assessments for benefits in the opening widening or vacation thereof or in the changing of water-courses or the construction of sewers through private lands or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same may be abated by such cities boroughs incorporated towns or townships upon the payment of the entire face amount of such delinquent claims imposed or assessed on any parcel or parcels of real estate and the costs of filing or of any proceedings thereon on or before December thirty-first one thousand nine hundred forty-five

Section 2 This act shall be construed to apply to all such claims whether or not liens for such claims have been filed in the office of the prothonotary of the county or proceedings for the collection of such claims have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a judicial sale for the non-payment of such claim and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at any such sale and where the period of redemption has not expired and the person liable for the payment of all costs incurred in such proceedings except the solicitor's fees

Section 3 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned claims have been imposed or assessed and levied

Section 4 Any taxpayer shall have the rights to pay the delinquent claims imposed or assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent claims imposed or assessed and levied against any other parcel or parcels of real estate in the same ward district or other political subdivision

Upon application either in person or in writing by any person liable for the payment of any such delinquent claims the authorities imposing or assessing and levying such claims or the person or persons charged with the collection of such delinquent claims or the person or persons in whose custody the records of such delinquent claims are kept shall furnish to the person liable for the payment of such claims a statement of the delinquent claims owed by him to such political subdivision showing the face amount the interest charges penalties expenses and fees and costs or other charges in detail against such real property as shown by the records in his custody

Section 5 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for nonpayment of such municipal claims before January first one thousand nine hundred forty-six and any such sale shall be adjourned or readjourned as often as may be necessary for this purpose If any sale is adjourned or readjourned failure to advertise or hold any such sale shall invalidate the lien of any municipal claim due and unpaid but the lien of all such claims shall be fully preserved until February first one thousand nine hundred forty-six in order to give the city borough incorporated town or township authorities an opportunity to revive any such liens when payment is not made under the provisions of this act Provided however That in every case where a person avails himself of the privilege of benefits of this act the period during which payment of the said delinquent claim is postponed or continued under this act shall not be included in computing and determining whether or not any right of the authority which imposed or assessed such claim has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said authority to file preserve or maintain the lien of the said claim

Section 6 The provisions of this act shall not apply to or in any manner affect any assessments which are the sole basis of improvement bonds issued by any political subdivision and which are the security for the payment thereof or to any assessments which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under terms of the contract for the improvement for which the assessment was levied

Section 7 The provisions of this act are severable and

if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 All acts and parts of acts general local and special inconsistent with the provisions of this act are hereby suspended during the time this act shall be in effect

Section 9 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Troutman,
Blass,	Haluska,	Margie,	Tyler,
Bowers,	Holland,	McCreesh,	Walker,
Chapman,	James,	McGinnis,	Wilson,
Coleman,	Jaspan,	Rosenfeld,	Woodring,
Cox,	Jones,	Ruth,	Woodward,
Dent,	Kephart,	Scarlett,	Tallman,
DiSilvestro,	Klein,	Stevenson,	Presiding Officer
Farrell,	Leader,	Stiefel,	

NAYS—7

Becker,	Crider,	Heyburn,	Wade,
Carr,	Crowe,	Thomas,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 478, as follows:

An Act to amend sections one and two and to further amend section three of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344 No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and testify against each other in certain cases" authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344—No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" is hereby amended to read as follows

Section 1 Be it enacted &c That hereafter a married woman shall have the same right and power as [an unmarried person] a married man to acquire own possess control use lease mortgage sell or otherwise dispose of any property of any kind real personal or mixed and either in possession or expectancy and may exercise the said right and power in the same manner and to the same extent as [an unmarried person but she may not mortgage or convey her real property unless her husband join in such mortgage or conveyance] a married man

Section 2 Hereafter a married woman may in the same manner and to the same extent as an unmarried person make any contract in writing or otherwise [which is necessary appropriate convenient or advantageous to the exercise or enjoyment of the rights and powers granted by the foregoing section but she may not become accommodation endorser maker guarantor or surety for another and] but she may not execute or acknowledge a deed or other written instrument conveying [or mortgaging] her real property unless her husband join in such [mortgage or] conveyance

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Klein,	Taylor,
Berger,	Farrell,	Leader,	Thomas,
Blass,	Geltz,	Letzler,	Troutman,
Bowers,	Gourley,	Margie,	Tyler,
Carr,	Haluska,	McCreesh,	Wade,
Chapman,	Heyburn,	McGinnis,	Wagner,
Coleman,	Holland,	Rosenfeld,	Walker,
Cox,	Homsher,	Ruth,	Wilson,
Crider,	James,	Scarlett,	Woodring,
Crowe,	Jaspan,	Snowden,	Woodward,
Dent,	Jones,	Stevenson,	Tallman,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 509, as follows:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making husbands liable for payment of per capta taxes levied against their wives and authorizing collection thereof from such husbands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the viola-

tion thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by section four of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 508) is hereby further amended to read as follows

Section 542 Each resident or inhabitant over twenty-one years of age in every school district of the second third and fourth classes in this Commonwealth which shall levy such tax shall annually pay for the use of the school district in which he or she is a resident or inhabitant a per capita tax of not less than one dollar nor more than five dollars as may be assessed by the local school district Every husband against whose wife a per capita tax is levied shall be liable for the payment of such tax Collection thereof from such husband may be made and enforced in the manner provided by law for the collection and enforcement of payment of other taxes owing by such husband including the collection thereof from the husband's employer

Section 2 The provisions of this act shall be applicable to per capita taxes levied for the year one thousand nine hundred forty-six and for each year thereafter

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 514, on third reading, entitled:

An Act to amend subsection (b) of section sixteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotares sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" requiring registrars to sit in voting precincts upon the petition of a certain number of qualified electors thereof

be recommitted to the Committee on Elections.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 533, on third reading, entitled:

An Act concerning liens of factors on merchandise and definng "factor"

be recommitted to the Commttee on Judiciary General.

Mr. CARR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 568, on third reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minnmum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and provding for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 578, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians

and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the prperty of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" changing the conditions to borrow money for current expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred and eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 624) is hereby further amended to read as follows

Section 308 Borrowing Powers The commissioners of each county shall have power with the approval of the Department of Internal Affairs in the manner provided by law to issue and negotiate bonds of the institution district to raise funds for the acquisition of real estate for the erection and equipment of buildings for the payment of the obligations of the predecessor poor district for the refunding of outstanding bonds issued by it or the predecessor poor district and for the funding of notes of the institution district issued under the provisions of this section or of any other floating debt or evidences of indebtedness Such bonds shall be issued and sold in the manner provided by law for county bonds Provided however that any bonds of the institution district issued to fund its notes shall mature not more than five years from the date thereof

The commissioners may also borrow moneys for current expenses giving notes of the institution district payable in not over [six months] one year bearing not over six per centum interest and negotiated for not less than par Payment of such notes shall be provided for in the next annual tax excepting such notes heretofore or hereafter issued as shall be funded by the issuance of the bonds of the institution district

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 585, as follows:

An Act to amend the title and sections one and two of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 476) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" by making the act applicable to counties of the second class and changing and further fixing such fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one and two of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 476) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" are hereby amended to read as follows

An Act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties [having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census] of the second class

Section 1 Be it enacted &c That the fees to be charged and collected by the recorder of deeds in counties [having a population of over eight hundred thousand and less than one million five hundred thousand as computed by the last preceding United States census] of the second class shall be as follows

For recording deeds the minimum fee for not more than one description or more than four legal cap typewritten pages shall be [three dollars ($3.00)] three dollars and fifty cents ($3.50) and for each additional description [twenty-five cents (25c)] thirty-five cents (35c) extra

For recording sheriff's deeds three dollars ($3.00)

For indexing deeds mortgages and all other writings with more than four names [ten cents (10c)] fifteen cents (15c) extra for each additional name

For recording agreements leases oil and gas leases rights of way municipal ordinance vacating streets lanes or alleys or parts thereof of not more than four legal cap typewritten pages the minimum fee shall be [three dollars ($3.00)] three dollars and fifty cents ($3.50) and fifty cents (50c) for each additional legal cap typewritten page or fractional part thereof

For recording assignments of agreements leases oil and gas leases rights of way or other instrument of writing by separate paper except such as are herein specially

provided of not more than two legal cap typewritten pages the minimum fee shall be [two dollars ($2.00)] two dollars and fifty cents ($2.50) and fifty cents (50c) for each additional page or fractional part thereof

For recording adjudication in bankruptcy [two dollars (2.00)] two dollars and fifty cents ($2.50)

For recording widow's election [one dollar and seventy-five cents ($1.75)] two dollars and twenty-five cents ($2.25)

For recording widow's appraisement [two dollars and seventy-five cents ($2.75] three dollars and twenty-five cents ($3.25)

For recording release of legacies [one dollar and seventy-five cents ($1.75)] two dollars and twenty-five cents ($2.25)

[For recording soldier's discharge one dollar ($1.00) Fee to be paid by the county]

For recording military or naval discharge one dollar ($1.00) Fee to be paid by the county

For recording military or naval certificate of service one dollar ($1.00) Fee to be paid by the county

For recording decree of feme sole trader [two dollars ($2.00)] two dollars and fifty cents ($2.50)

For recording declaration of trust of not more than one description of property or more than four legal cap typewritten pages the minimum fee shall be [three dollars ($3.00)] three dollars and fifty cents ($3.50) and fifty cents (50c) for each additional page or fractional part thereof

For recording decree or order of court of not more than two legal cap typewritten pages [two dollars ($2.00)] two dollars and fifty cents ($2.50) and fifty cents (50c) for each additional page or fractional part thereof

For recording mortgages of not more than one description or more than four legal cap typewritten pages the minimum fee shall be [three dollars ($3.00)] three dollars and fifty cents ($3.50) and each additional description twenty-five cents (25c) extra

For recording assignment of mortgage when attached to mortgage at time of recording one dollar ($1.00)

For recording assignment of mortgage by separate paper of not more than one assignment [one dollar and seventy-five cents ($1.75)] two dollars and twenty-five cents ($2.25) for noting each additional assignment twenty cents (20c)

For recording satisfaction partial payment postponement or relesae by separate paper [one dollar and seventy-five cents ($1.75)] two dollars and twenty-five cents ($2.25)

For entering satisfactions assignments partial payments releases extensions and postponements on margin of mortgage record [fifty cents (50c)] one dollar and fifty cents ($1.50)

For entering partial payment release extension and assignment under one marginal entry [fifty cents (50c)] one dollar ($1.00) for first item and [twenty-five cents (25c)] fifty cents (50c) for each additional item

For mortgage searches on not more than one piece of property each name one dollar ($1.00) and for each unsatisfied mortgage shown fifty cents (50c)

For reporting mortgage lien assignment or satisfaction thereof to the county commissioners or board of assessors ten cents (10c) each to be paid by the county

For recording or exemplifying of commission for notary public with bond and oath five dollars ($5.00) city or county officer with bond and oath five dollars ($5.00) justice of the peace or alderman with bond and oath five dollars and fifty cents ($5.50) special police officer three dollars ($3.00)

For exemplification of special police officer's oath one dollar ($1.00)

For furnishing Auditor General with information concerning limited partnerships twenty-five cents (25c)

For affidavit and acknowledgment of bondsmen for notary public justice of the peace or aldermen one person fifty cents (50c) two persons seventy-five cents (75c)

For recording powers of attorney of not more than two names or more than two legal cap typewritten pages the minimum fee shall be [two dollars ($2.00)] two dollars and fifty cents ($2.50) and fifty cents (50c) for each additional page or fractional part thereof

For noting any instrument on margin of record twenty cents (20c)

For recording charters or limited partnerships of not more than four legal cap typewritten pages the minimum fee shall be [three dollars ($3.00)] three dollars and fifty cents ($3.50) and fifty cents (50c) for each additional page or fractional part thereof

For recording bank bonds [two dollars ($2.00)] two dollars and fifty cents ($2.50)

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 All fees shall [include] be exclusive of any State tax now provided for by law and said fees and State tax shall be payable in advance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Geltz,	Letzler,	Stiefel,
Berger,	Gourley,	Mallery,	Taylor,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Holland,	McCreesh,	Tyler,
Coleman,	Jaspan,	McGinnis,	Walker,
Cox,	Jones,	Rosenfeld,	Woodring,
Dent,	Kephart,	Ruth,	Woodward,
DiSilvestro,	Klein,	Scarlett,	Tallman,
Farrell,	Leader,	Snowden,	Presiding Officer

NAYS—12

Becker,	Crider,	Heyburn,	Thomas,
Carr,	Crowe,	James,	Wade,
Chapman,	Ealy,	Stevenson,	Wilson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 587, as follows:

An Act to amend section one hundred forty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred forty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 145 Bond in Favor of Commonwealth Each county treasurer shall also before entering upon the duties of his office give bond with sufficient security to be approved of by at least two of the judges if there is more than one judge of the court of quarter sessions in the county and in such penalty as the said judges shall deem

sufficient conditioned for the faithful discharge of all duties enjoined upon him by law in behalf of the Commonwealth and for the payment according to law of all moneys received by him for use of the Commonwealth which bond shall be taken by and acknowledged before the recorder of deeds of the same county and recorded in his office [at the cost of the county treasurer] and the original bond shall be forthwith transmitted to the Auditor General The cost of the bond its acknowledgment and recording shall be borne by the Commonwealth

Copies of the record of such bond duly certified by the recorder of deeds for the time being shall be good evidence in any action brought against such treasurer or his sureties on such bond according to its form and effect in the same manner as the original would be if produced and offered in evidence

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geitz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 602, as follows:

An Act to further amend section one of an act approved the eleventh day of June one thousand nine hundred fifteen (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and termine rgeneral jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eleventh day of June one thousand nine hundred fifteen (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" which was amended by section one of the act approved the eighteenth day of March one thousand nine hundred twenty-five (P. L. 42) which was further amended by section one of the act approved the fourth day of May one thousand nine hundred thirty-three (P. L. 278) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the fees to be paid to and received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace in counties of the second class shall be as follows

Affidavits fifty cents ($.50)

Attachments or process on any cause one dollar ($1.00)

Bail-piece [two dollars ($2.00)] three dollars ($3.00)

Ballots preparing for jury per panel two dollars and fifty cents ($2.50)

Bail-bond [one dollar ($1.00)] two dollars ($2.00)

Bail-bond justification filing of [twenty-five cents ($.25)] one dollar ($1.00)

Bench warrants one dollar ($1.00)

Bonds for liquor license certificate and filing two dollars and fifty cents ($2.50)

Bonds for constables one dollar ($1.00)

Bonds for tax collectors (Original) two dollars and seventy-five cents ($2.75) renewal each year one dollar ($1.00)

Certificate of election of municipal officers each fifty cents ($.50)

Commitments fifty cents ($.50)

Certificate of incorporation of new municipalities to Superintendent of Public Instruction five dollars ($5.00)

Certificate to Secretary of Highways of conviction for violation of laws regulating use and operation of motor vehicles to be taxed as part of the costs of each case [one dollar ($1.00)] two dollars ($2.00)

Certificate for constables for election or appointment one dollar ($1.00)

Certificate of acknowledgment fifty cents ($.50)

Certificate for writ of habeas corpus one dollar ($1.00)

Certificate to county treasurer (each name paid by county) one dollars ($1.00)

Certificate for nolle prosequi one dollars ($1.00)

Certificate for payment of jurors (each name) one dollar ($1.00)

Certificate for the sheriff to draw jurors petit grand or special venire [one dollar and fifty cents ($1.50)] two dollars ($2.00)

Certificate when judge acts as a magistrate affidavit warrant and service one dollar and fifty cents ($1.50)

Certificate for ignored bill one dollars ($1.00)

Certificate in breach of peace case fifty cents ($.50)

Certificate of reconsideration of sentence fifty cents ($.50)

Commission on lunacy swearing commission filing and recording et cetera two dollars and fifty cents ($2.50)

Certified copy of record bill of indictment [two dollars ($2.00)] two dollars and fifty cents ($2.50)

Certified copy of minutes per page or fraction thereof three dollars and fifty cents ($3.50)

Certified copy of report of laying out or vacating public road five dollars ($5.00)

Certified copy of record docket-entries two dollars ($2.00)

Certified copy of record docket-entries in road cases five dollars ($5.00)

Certified copy of information [two dollars ($2.00)] two dollars and fifty cents ($2.50)

Constables' quarterly returns one dollar ($1.00)

Detective license filing application for five dollars ($5.00)

Discharge on ignored bill fifty cents ($.50)

Discharge on bail entered fifty cents ($.50)

Fieri facias debt writ and docket entries [ten dollars ($10.00)] fifteen dollars ($15.00)

Filing and entering reasons for new trial [fifty cents ($.50)] one dollar ($1.00)

Filing and entering motions in arrest of judgment [fifty cents ($.50)] one dollar ($1.000)

Filing and entering bail-bond or recognizance from magistrate [fifty cents ($.50)] one dollar ($1.00)

Filing and entering coroner's return (each inquisition) [fifty cents ($.50)] seventy-five cents ($.75)

Filing and entering petition for appointment of auditors tax collectors constables and all other municipal officers [two dollars ($2.00)] two dollars and fifty cents ($2.50)

Filing and entering auditor's reports [one dollar ($1.00)] one dollar and fifty cents ($1.50)

Filing and recording proceeding for redistricting or change of polling-place each district three dollars ($3.00)

Filing and entering opinions of court of common pleas Superior or Supreme Court [two dollars ($2.00)] three dollars ($3.00)

Filing and docket-entries true bill [three dollars ($3.00)] four dollars ($4.00)

Filing and entering certiorari or appeals to common pleas Superior or Supreme Court [three dollars and fifty cents ($3.50)] four dollars ($4.00)

Filing and entering remittitur from Superior or Supreme Court three dollars ($3.00)

Filing and entering exceptions (road cases) two dollars and fifty cents ($2.50)

Filing and recording of increase of bonded indebtedness proceedings (per page or part thereof) three dollars and fifty cents ($3.50)

Filing recording and issuing receipt for expense accounts of candidates for political offices if fifty dollars ($50.00) or less fifty cents ($.50) each if over fifty dollars ($50.00) three dollars and fifty cents ($3.50) per page or part thereof

Filing recording and certifying appointments of election officers [two dollars and fifty cents ($2.50)] three dollars ($3.00)

Filing recording and certifying orders for transfer or release of prisoners [two dollars and fifty cents ($2.50)] three dollars ($3.00)

Filing recording and certifying miscellaneous orders of court two dollars and fifty cents ($2.50)

Filing recording and certifying detailments of visiting judges one dollar ($1.00)

Filing and certifying counsel fees [one dollar ($1.00)] two dollars ($2.00)

Filing recording and administering oaths of office fifty cents ($.50)

Filing and recording notary commission certifications [fifty cents ($.50)] seventy-five cents ($.75)

Filing and recording power of attorney one dollar ($1.00)

Filing financial statements one dollar ($1.00)

Ignoramus where bill is returned [two dollars ($2.00)] three dollars ($3.00)

Issuing change of costs notices to controller and sheriff fifty cents ($.50)

Issuing "costs paid" certificate one dollar ($1.00) Recording and docketing change of order of court other than change of costs notices to controller and sheriff fifty cents ($.50)

Liquor license filing application for five dollars ($5.00)

Liquor license filing and recording petition for revocation thereof three dollars ($3.00)

Mandamus and proceedings thereon four dollars ($4.00)

Motion and rule other than elsewhere provided for [twenty-five cents ($.25)] one dollar ($1.00)

Petition and order for a view or review of a road or bridge under seal orders to open filing report recording et cetera [ten dollars ($10.00)] eleven dollars ($11.00)

Petition filing of and entering proceedings in inebriate cases three dollars ($3.00)

Petition filing and proceedings for the removal of feeble-minded insane or criminal insane persons from any penal institution three dollars ($3.00)

Petition for parole [fifty cents ($.50)] one dollar ($1.00)

Petition for writ of habeas corpus three dollars ($3.00)

Petition to Governor for extradition papers one dollar ($1.00)

Preparing and certifying charity reports to the Department of Welfare twenty-five dollars ($25.00)

Preparing and transmitting testimony to institutions two dollars ($2.00)

Preparing records for institutions of prisoners committed [fifty cents ($.50)] seventy-five cents ($.75)

Preparing insanity reports to [poor directors] judges of quarter sessions court four dollars ($4.00)

Preparing insolvency proceedings for prisoners in jail paid by county one dollar ($1.00)

Release from any institution by order of court [fifty cents ($0.50)] one dollar ($1.00)

Recording election returns each election district two dollars and fifty cents ($2.50)

Recognizance calling and entering forfeitures [fifty cents ($.50)] one dollar ($1.00)

Recognizance forfeited respited or discharged and motion therefor [fifty cents ($.50)] one dollar ($1.00)

Recognizance taking each [one dollar ($1.00)] two dollars ($2.00)

Return to writ of error one dollar ($1.00)

Services of clerk where true bill is found quarter sessions [three dollars ($3.00)] four dollars ($4.00) each additional day or part of day at trial [two dollars ($2.00)] three dollars ($3.00)

Services of clerk where true bill is found oyer and terminer [five dollars ($5.00)] six dollars ($6.00) each additional day or part of day at trial [four dollars ($4.00)] five dollars ($5.00)

Services of clerk plea of guilty one dollar ($1.00)

Search from judgment to docket single name [forty cents ($.40)] seventy-five cents ($.75)

Search from judgment to docket extra single name [ten cents ($.10)] twenty-five cents ($.25)

[Search from judgment to docket two names extra and so on twenty-five cents ($.25)]

Subpoenas and seal twenty-five cents ($.25)

Seal in every case twenty-five cents ($.25)

Summons on recognizance seventy-five cents ($.75)

Swearing grand jury [four dollars ($4.00)] five dollars ($5.00)

Swearing petit jury in each case [four dollars ($4.00)] five dollars ($5.00)

Taxing a bill of costs other than the clerk's of the sessions fifty cents ($.50)

Triple seal certificate one dollar and fifty cents ($1.50)

Venire for grand jury [one dollar and fifty cents ($1.50)] two dollars ($2.00)

Venire for petit jury [one dollar and fifty cents ($1.50)] two dollars ($2.00)

Venire for special jury [one dollar and fifty cents ($1.50)] two dollars ($2.00)

Venditioni exponas issuing writ seventy-five cents ($.75)

Receiving and distributing money paid into court three per cent (3%)

For receiving or paying out fines three cents per dollar to be paid by the party or persons receiving the fine

For entering and recording informations received from magistrates justices of the peace or aldermen fifty cents ($.50)

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Geltz,	Leader,	Stiefel,
Berger,	Gourley,	Letzler,	Taylor,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Holland,	Margie,	Walker,
Coleman,	James,	McCreesh,	Woodring,
Cox,	Jaspan,	McGinnis,	Woodward,
Dent,	Jones,	Rosenfeld,	Tallman,
DiSilvestro,	Kephart,	Ruth,	Presiding Officer
Farrell,	Klein,	Scarlett,	

NAYS—14

Becker,	Crowe,	Stevenson,	Wade,
Carr,	Ealy,	Thomas,	Wagner,
Chapman,	Heyburn,	Tyler,	Wilson,
Crider,	Snowden,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that House Bll No. 632, on third reading, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 633, as follows:

An Act to add section 1402.1 and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XIV of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding thereto after section 1402 a new section to read as follows

Section 1402.1 Assistants and Employes The city treasurer shall appoint all the assistants and employes of his office whose number and compensation shall be fixed by Council and who in all other respects shall be considered as employees of the city

Section 2 Section 2556 of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 153) is hereby further amended to read as follows

Section 2556 Treasurer as Tax Collector of City County School and Poor Taxes Compensation Assistants Expense to Be Shared The compensation or commission of the city treasurer as collector of city county institution district school and poor taxes shall during the terms of the tax collectors in office at the time this act takes effect be and remain as now provided by law Thereafter the said tax collector shall be paid an annual salary for the collection of all city county institution district school and poor taxes which salary where not definitely fixed by this act shall be fixed before the election of an tax collector jointly by the taxing authorities other than institution and poor districts whose taxes are collected under the provisions of this act In the case of newly created cities shall be fixed by said taxing authorities before any the said salary where not definitely fixed by this act duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each have one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority

In cities having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars ($1,600) nor more than three thousand five hundred dollars ($3,500)

In cities having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars ($3,500) nor more than five thousand dollars ($5,000)

In cities having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars ($6,000)

In cities having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars ($7,500)

The tax collector shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the city council the board of school directors and the county commissioners in the same manner as in the case of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over all tax moneys received by them

The city shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The taxing authorities other than institution and poor districts shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in the same manner as other officers of said city county and school district

The taxing authorities other than institution and poor districts shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth The city treasurer upon the expiration of his term of office shall surrender the unsatisfied tax duplicate or duplicates in his possession to his successor in office who shall collect the unpaid taxes charged therein and settle the duplicate or duplicates as provided by law Before such duplicates are surrendered to a successor the tax accounts of the out-going treasurer shall be adjusted and balanced to the satisfaction of the incoming treasurer and the respective taxing authorities before any release of the bond of the outgoing treasurer shall be given

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto havng been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,

Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 636, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officer fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers property and duties transferring certain powers duties and employes from the Department of Public Instruction to the said commission abolishing the Pennsylvania Historical Commission and making available to the commission moneys appropriated or allocated to or for the use of the Pennsylvania Historical Commission the State Museum and the Archives division of the State Library

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred and forty-three (P. L. 94) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant-Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission Board of Fish Commissioners State Civil Service Commission [and the] Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 Section two hundred and two of said act as amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 443) and by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 496) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Officers The following boards commissions and officers are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
'Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
[Pennsylvania Historical Commission]
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission

In the Department of Agriculture
State Farm Products Show Commission

In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission

In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors

In the Department of Highways
State Bridge Commission

In the Department of Health
Sanitary Water Board
State Board of Undertakers

In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board

In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
.....
.....
(descriptive name of political subdivision in which institution is located)
State Hospital

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission

In the Department of Revenue
State Athletic Commission

In the Department of Public Assistance
State Board of Public Assistance

In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 3 Section two hundred and ten of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries six thousand dollars

To the Chairman of the Pennsylvania Public Utility Commission ten thousand five hundred dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each ten thousand dollars as provided by law

(b) The members of the Pennsylvania Game Commission [and of] the Board of Fish Commissioners other than the Commissioner of Fisheries and of the Pennsylvania Historical and Museum Commission shall not receive any compensation

(c) Except as in this act otherwise provided the members of departmental administrative boards and commissions and of advisory boards and commissions shall serve without compensation

Section 4 Article three of said act is hereby amended

by adding thereto after section three hundred and three a new section to read as follows

Section 304 Pennsylvania Historical and Museum Commission The Pennsylvania Historical and Museum Commission shall consist of the Superintendent of Public Instruction ex officio and nine citizens of the Commonwealth One of the members of the commission shall be designated by the Governor to serve as Chairman of the Commission The commission shall appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor any one who has served as a member thereof within one year shall be eligible for appointment as executive director

Six members of the commission shall constitute a quorum

The present members of the Pennsylvania Historical Commission shall be members of the Pennsylvania Historical and Museum Commission who together with the other four original members of the commission shall be appointed by the Governor on or before the effective date of this act and shall hold their office until the third Tuesday of January one thousand nine hundred and forty-seven or until their successors shall have been appointed and qualified as provided by law The four members to be appointed as aforesaid who are not members of the present Pennsylvania Historical Commission shall be chosen from sections of the Commonwealth not represented by the five members who are now members of the Pennsylvania Historical Commission

Section 5 Section four hundred and eleven of said act is hereby repealed

Section 6 Section four hundred and thirty-two of said act is hereby amended to read as follows

Section 432 Geographic Board The Geographic Board shall consist of the Secretary of Forests and Waters who shall be the chairman thereof the Secretary of Highways the [president] chairman of the Pennsylvania Historical and Museum Commission and such officer of the Department of Internal Affairs as shall be designated by the Governor

Three members of the board shall constitute a quorum

Section 7 Section four hundred and forty-eight of said act as amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) and as amended in part by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1601) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(a) The State Military Reservation Commission shall consist of the Governor the Major General commanding the National Guard of Pennsylvania any Major General who commands has commanded or shall hereafter command the National Guard of Pennsylvania who shall retire from the service subsequent to the first day of January one thousand nine hundred and thirty-three regardless of such retirement the Adjutant General the Brigadier Generals commanding brigades the Chief of Staff of the Twenty-eighth Division and two other members to be appointed by the Governor

The commission shall elect from among its members a chairman and a secretary

(b) The State Veterans' Commission shall consist of the Adjutant General ex-officio and seven members all of whom shall have served in the armed forces of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans organization active in this Commonwealth

Five members of the commission shall constitute a quorum

The commission shall select from its number a chairman and a secretary

(c) The State Forest Commission shall consist of four persons and the Secretary of Forests and Waters ex-officio who shall be chairman thereof

(e) Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters and the chairman [and secretary of the Pennsylvania Historical Commission] of the Pennsylvania Historical and Museum Commission ex-officio and six other members residing in the vicinity of the Bushy Run Battlefield State Park and having a knowledge of and interest in the history of the locality wherein said park is situated

The members of the commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

(f) The Advisory Health Board shall consist of the Secretary of Health and six members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be chairman of the board

Three members of the board together with the Secretary of Health shall constitute a quorum

(g) The State Welfare Commission shall consist of the Secretary of Welfare ex-officio and eight other members The Secretary of Welfare shall be chairman of the board The Secretary of Welfare and four other members of the board shall constitute a quorum

(h) The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies the president of the Pennsylvania Academy of Fine Arts of Philadelphia and three other persons The commission shall annually elect a president and secretary

Three members of the commission shall constitute a quorum

Section 8 Section one thousand three hundred and five of said act is hereby amended to read as follows

Section 1305 Library [and Museum] The Department of Public Instruction shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum and the several divisions thereof in so far as the same shall in any manner relate to the State Library or the law library or to the following powers duties and functions The Superintendent of Public Instruction may designate the person in charge of the work to which this section refers as the State Librarian

The department shall have the power and its duty shall be

(a) To control direct supervise and manage the State Library [and Museum]

(b) [To edit the Pennsylvania Archives]

[(c)] To maintain as a part of the State Library [and Museum] a law library

[(d) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

(e) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the counties cities and boroughs of the State

(f) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

(g) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the

payment of such charges as shall be fixed by law]

[(h)] (c) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloguing and other details of library management and as to the best means of establishing and administering such libraries

[(i)] (d) Generally to supervise and inspect free libraries to require reports in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

[(j)] To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the department may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films Provided That in exercising its powers and performing the duties under subsections (b) (d) (e) and (f) of this section the department shall consult and cooperate with the Pennsylvania Historical Commission]

Section 9 Section one thousand three hundred and nine of said act as amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 972) and by the act approved the twenty-first day of July one thousand nine hundred and forty-one (P. L. 429) is hereby repealed absolutely

Section 10 The said act is hereby further amended by adding after Article twenty-eight a new article to read as follows

Article XXVIII-A

Powers and Duties of the Pennsylvania Historical and Museum Commission

Section 2801-A Pennsylvania Historical and Museum Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical and Museum Commission shall have the power and its duties shall be

(a) To exercise the powers and perform the duties heretofore by law vested in and imposed upon the Pennsylvania Historical Commission and any officer or member thereof Any power or duty heretofore vested in or imposed upon the chairman of the Pennsylvania Historical Commission is herein vested in and imposed upon the chairman of this commission and any power or duty heretofore vested in or imposed upon the Secretary of the Pennsylvania Historical Commission is herein vested in and imposed upon the executive secretary of this commission

(b) To exercise the powers and perform the duties heretofore by law vested in the State Museum or the Director of the Museum or in the State Library and Museum or the Department of Public Instruction insofar as such powers or duties relate to the museum or to the functions of the museum or to the powers or to the duties or functions set forth in this section

(c) Upon its own initiative or upon petition of municipalities or historical societies to mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and with the consent of the State or county having jurisdiction thereof places or buildings outside of this Commonwealth having to do with its history and to arrange for the care or maintenance of such markers or monuments

(d) To undertake within the means at its command the preservation or resoration of ancient or historical public buildings military works or monuments connected with the history of Pennsylvania and for this purpose to contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works or monuments as a consideration for assistance in their erection restoration preservation or marking by the commission

(e) To transmit to the Department of Property and Supplies for publication or republication matters of historical or archaeological interest and to cooperate with said department in compiling heading printing and distributing such publications

(f) Upon its own initiative or in cooperation with reputable societies or organizations to conduct investigations upon historical or archaeological matters relative to Pennsylvania and report the same for public information

(g) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public and at its discretion to charge admission fees therefor such fees to be paid into the State Treasury through the Department of Revenue and credited to the General Fund

(h) To receive for and on behalf of the Commonwealth gifts or bequests of relics or other articles of historical interest which shall be deposited in the State Museum or at the discretion of the commission in or on historic properties or shrines committed to its custody

(i) To accept for the Commonwealth gifts and bequests of or securities for the endowment of its work in accordance with the instructions of the donors and in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the commission constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and to employ the interest and income from such investments for the purposes of the commission or to apply the same to such uses as may have been specified by the respective donors of such funds

(j) To approve or disapprove the design and proposed location of all historical monuments memorials buildings tablets and inscriptions and to cooperate in the care or restoration of historic sites buildings battlefields and other historical undertakings maintained or executed in whole or in part at the expense of the Commonwealth

(k) To accept and take title in the name of the Commonwealth of Pennsylvania to the sites of historical markers

(l) To examine any records within the control of the several departments boards and commissions of this Commonwealth for the purposes of historical research and to copy any such records

(m) To examine or cause to be examined or excavated the sites and areas of former aboriginal or American Indian occupation within this Commonwealth to acquire by purchase archaeological collections for the State Museum to prepare a list of all such sites to describe them to report upon their specific archaeological culture and to prepare for publication the information so obtained All information reports scientific determinations and other records obtained by this survey or archaeological collections acquired by purchase shall be the property solely of the Commonwealth to be deposited in the State Museum In performing its duties under this subsection the commission may consult and procure the advice of such archaeological and anthropological experts as it shall deem it advisable to consult

(n) To control direct supervise and manage the State Museum

(o) To edit the Pennsylvania Archives

(p) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

(q) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the counties cities and boroughs of the State

(r) To recommend such action to be taken by the

persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

(s) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

(t) To preserve objects illustrating the flora and fauna of the State and its minerology geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the commission may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films

Section 11 (a) The Pennsylvania Historical Commission is hereby abolished

(b) All employes of the Pennsylvania Historical Commission on the effective date of this act shall become employes of the Pennsylvania Historical and Museum Commission and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the Pennsylvania Historical and Museum Commission

(c) All employes of the Department of Public Instruction on the effective date of this act whose duties are connected with the functions of the State Museum or with any of the functions set forth in this amendment as the powers and duties of the Pennsylvania Historical and Museum Commission shall become employes of the said commission and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the commission

(d) Any unexpended balance existing on the effective date of this act in any appropriation heretofore made to the Pennsylvania Historical Commission or to any department or agency of the Commonwealth for the use of the Pennsylvania Historical Commission and any moneys hereafter appropriated to the said Pennsylvania Historical Commission or to any department or agency of the Commonwealth for the use of the Pennsylvania Historical Commission are hereby transferred and appropriated to the Pennsylvania Historical and Museum Commission for the use of the Pennsylvania Historical and Museum Commission in the performance of its duties

(e) Any unexpended balance of any appropriation heretofore made and any money hereafter appropriated to the Department of Public Instruction for the purpose of being allocated for the use of the Pennsylvania Historical Commission or for the use of the State Museum or the Archives division of the State Library and any money heretofore or hereafter allocated by the Department of Public Instruction for the use of the Pennsylvania Historical Commission or the State Museum or the Archives division of the State Library is hereby transferred and appropriated to the Pennsylvania Historical and Museum Commission for the use of the Pennsylvania Historical and Museum Commission in the performance of its duties

(f) The contents of the State Museum all property now under the jurisdiction or control of the Pennsylvanial Historical Commission the State Museum or the Archives division of the State Library and all property heretofore allocated or assigned by the Department of Public Instruction or any other department or agency of the Commonwealth for the use of the Pennsylvania Historical Commission the State Museum or the Archives division of the State Library are hereby transferred to the Pennsylvania Historical and Museum Commission for the use of said commission in the performance of its duties

Section 12 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 13 This act shall become effective on the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that House Bill No. 641, on third reading, entitled:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a socalled spendthrift trust provision or similar provisions and providing for the execution delivery and recording of such release or disclaimer

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 658, as follows:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of monyes and property for charitable religious benevolent humane and patriotic purposes" by exempting federated women's clubs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the

thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the third day of May one thousand nine hundred forty-three (P. L. 150) and the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 280) is hereby further amended to read as follows

Section 11 This act shall not apply to fraternal organizations incorporated under the laws of the Commonwealth religious organizations raising funds for religious purposes colleges schools universities or associations of alumni or alumnae thereof raising funds for fellowships or scholarships federated women's clubs labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth nor to any war veterans' organization or any subordinate units thereof whenever the purpose for which it is soliciting funds has been approved by the Department of Military Affairs

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. ROSENFELD. Mr. President, I have looked at House Bill No. 658, both when it was in committee and after it was reported out of the Committee on Welfare, and I have not been able to convice myself that I understand the need for the amendment to the solicitation act. It appears that up to this time the various organizations that have been placed in the exemption section of the solicitation act have indicated some need for it. But, why suddenly federated women's clubs are included in the exemption is something I can not understand. It would appear to me in the first place that this might be some special legislation and I do not know why federated men's or boys' clubs are not included and, unless some satisfactory explanation can be given with respect to the reason for the bill, I would like to ask my colleagues to vote against it.

Mr. WALKER. Mr. President, this bill includes just one additional exemption in the solicitation act of 1925. The purpose of putting federated women's clubs into the bill does not have any diabolical political significance.

I might say to the gentleman from Philadelphia, Senator Rosenfeld, that practically every town in western Pennsylvania, and I am assuming that the custom also exists in the eastern part of the state, has a women's club that belongs to the county federation, which in turn belongs to the state federation. These women's clubs are composed of all the women in the town who are deeply interested in the municipal development of the social and fraternal life in that particular community.

Now we exempt fraternal organizations which might be in the same town and to which many of the husbands of these very fine ladies belong. For example, the Benevolent Protective Order of Elks could be in your home town and they would be exempted under this bill, but the Monday Club or the Women's Club of that same town would not be exempted unless we pass this state-wide bill. I also want to say that they do not operate for profit, because the money they raise by solicitations which would ordinarily come under this act, it used for charitable purposes right in their own home town.

This is a very fine gesture this Legislature could make in appreciation of the valuable contribution which the women of Pennsylvania make to the welfare of their separate communities and I think the gentleman from Philadelphia will feel satisfied, when this session is over, that this is one of the most heart-warming contributions we can make to the future of Pennsylvania.

Mr. ROSENFELD. Mr. President, I do not question the sincerity of my colleague from Allegheny, Senator Walker —I am sure he means well—but I still can not understand why the act should be enlarged at this time to single out an organization, which may or may not do charitable work, as the power given under this act would give that organization the right to go out and raise funds and do whatever it wanted with those funds. I do not question the motives of that organization—I think they do a fine piece of work—but I do not think they should be exempt and I do not feel they came within the legislative intent when this exemption section was written into this act. I think the purposes, for which the right to raise funds was given to groups that are already exempted, were pretty clear and well definied, but there is no telling—and that is my reason for objecting to this bill—to what use the federated women's clubs would put any money they did collect.

Mr. WALKER. Mr. President, I am going to try once more to explain this to the gentleman from Philadelphia, Senator Rosenfeld, because he is going to have to explain it to his wife when he gets home.

First let me say—because I have gathered from the sidebar conference that has been going on what might still be in the gentleman's mind—, the words that have been added on line 8, page 2, of the bill are "federated women's clubs," and I want to say to the gentleman this does not include anything like the Republican women's clubs or the Democratic women's clubs or the Royal Oak women's clubs. The reason for them to go out and solicit money is perhaps because they will have a tag day for some worthy local charity and they can not have that tag day unless they get permission as set up in the act of 1925. All this bill does is to permit them to have the same status as any other fraternal organization of men in putting on a charity drive or a tag day or for raising money for a children's home or for the local milk or ice fund.

There is no way in the world that any political organization can come in under this definition—and I am repeating that again because I think that is the fear in the gentleman's mind. No fraternal organization such as the Benevolent Protective Order of Elks or the Loyal Order of Moose could be classified as a political organization because those organizations take in members of the major political parties, and so do the federated women's clubs, and the gentleman must not get it confused and think that these federated women's clubs are organized for the furthering of the philosophies of any of the major political parties. This bill will save the trouble, inconvenience and expense to these federated womens clubs of having to come to Harrisburg and the Department of Welfare and taking out a permit to raise money for milk and ice for the children of their own community.

This is the last time I am going to try to explain this, because if I have not now convinced the gentlemen on the

other side I am going to let them vote as their consciences dictate.

Mr. JASPAN. Mr. President, I realize some of my colleagues are under pressure now for the reason that their wives are here; however, my wife is not here and therefore I shall vote "no."

Mr. ROSENFELD. I want to make just one more observation, Mr. President. I do not question the explanation given by my colleague from Allegheny, Senator Walker, and that may be the intention of the amendments to the solicitation act, but I do say that inclusion of the words "federated women's clubs" into the act may or may not bring about the results intended by the gentleman from Allegheny and for that reason I ask my colleagues to vote "no."

Mr. McGINNIS. Mr. President. I desire to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Senator Walker, permit himself to be interrogated.

Mr. WALKER. I will, Mr. President.

Mr. McGINNIS. I would like to inquire from the gentleman from Allegheny, Senator Walker, what are the federated women's clubs, what are they or who are they.

Mr. WALKER. Mr. President, I want to first state that I do not belong to the federated women's clubs and therefore have no personal interest in this bill.

If the gentleman from Allegheny wants to know the purpose of this amendment, Mr. President, I previously tried to explain that there are a lot of communities in western Pennsylvania, and I believe the custom has also extended to the eastern part of the state, and if I may get personal for a moment, Mr. President, take my home town as an example. In Oakmont they have a women's club and that club is composed of about 95 per cent of the women of that fine community and regardless of their political philosophy, because the question of politics does not enter into it, they are dedicated to only one thing and that is to see what they can do to advance the cause of Oakmont and make it a better place in which to live. They are entirely dedicated to civic betterment and putting on charity drives to raise money. This women's club is affiliated with the Allegheny County Federation of Women's Clubs, which is composed of all the towns in Allegheny county and all the womens clubs in Allegheny county are in turn affiliated with the Pennsylvania Federation of Women's Clubs. In the Pennsylvania Federation of Women's Clubs there is a set-up which would bar a political club. I want to say to the gentleman that it is impossible for any Republican club to be in this federation, as the federation of women's clubs is composed exclusively of non-political, non-partisan groups of women who do not select their membership because of race, color, creed or political affiliation; they take them in their club because they live in Oakmont and are interested in developing the civic betterment of their particular community.

They help kids go to school because they award scholarships to poor kids that could not go to school unless they get scholarships or financial aid, they help churches in their charity drives, and they do that by having tag days. The only way they can have a tag day for charitable purposes is to come here to Harrisburg and ask the Department of Welfare for a permit and when they get that permit they have to fill out a long questionnaire, but when the Benevolent Order of Elks puts on a charity drive they do not have to secure a permit because they are already exempt under the act. This puts the federated women's clubs on the same level. It just resolves itself to that, so that they do not have to come down here to Harrisburg and get a permit. That is all the bill does.

Mr. McGINNIS. Mr. President, I realize in Oakmont they may do more than in some other town which may not be so philanthropic. We all known there are crooks who like to impose on these federated women's clubs; I do not know exactly what they might do in Oakmont, but in some other towns they might go out and do a lot of collecting for improper purposes.

Mr. HOLLAND. Mr. President, I want to call to the attention of the gentleman from Allegheny county that there are only 52 Saturdays in a year and there is no more room for federated women's clubs or any other clubs to hold tag days, as all the Saturdays are now taken. I think we have got enough tag days now, without adding any more, and if you are going to open up this law, if that is the way it will operate, I am against it. I do not think there are any politics in it and I do not think any politics should be injected into it. I do not think it is fair to permit competition with religious and patriotic organizations, which are now doing a good job, by permitting any one to form a club who says he is going to hold a charity drive. We have got organizations doing it now, and I think we ought to allow them to raise money for charity. We have too many tag days now. Let those who have a right to tag do the tagging.

Mr. BARR. Mr. President, I would like to give the reason for the gentleman from Allegheny, Senator McGinnis, voting "aye"—his wife happens to be here tonight.

Mr. DENT. Mr. President, I would like to change my vote from "no" to "aye", to show my wife is the boss too.

The PRESIDING OFFICER. The Chair observes that the Senate would be a happier place if all the wives came here more often.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Dent,	Kephart,	Taylor,
Becker,	DiSilvestro,	Leader,	Thomas,
Berger,	Ealy,	Letzler,	Troutman,
Blass,	Farrell,	Mallery,	Wade,
Bowers,	Geltz,	Margie,	Wagner,
Carr,	Gourley,	McGinnis,	Walker,
Chapman,	Haluska,	Ruth,	Wilson,
Coleman,	Heyburn,	Scarlett,	Woodring,
Cox,	James,	Snowden,	Woodward,
Crider,	Jones,	Stevenson,	Tallman,
Crowe,			Presiding Officer

NAYS—7

Holland,	Klein,	Rosenfeld,	Tyler,
Jaspan,	McCreesh,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 675, as follows:

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debt of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the seventh day of June one thousand nine hundred nineteen (P. L. 412) is hereby further amended to read as follows

Section 15 (a) No debt of a decedent including the cost of settlement of the estate and the funeral expenses of the decedent except as provided in clauses (b) (g) [and] (h) and (m) hereof shall remain a lien on the real estate of such decedent longer than one year after the decease of such debtor unless within said period an action for the recovery thereof be brought against the executor or administrator of such decedent and such action shall be indexed within said period against the decedent and such executor or administrator in the judgment index in the county in which such action is brought and also in the county in which the real estate sought to be charged is situate and be duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias against the decedent his heirs executors or administrators and the devisee alienee or owner of the land sought to be charged in the manner now provided in the case of the revival of judgments

The plaintiff may at his election join such surviving spouse and heirs and the devisee alienee or owner of the land in such original action in which event such action shall be indered as aforesaid against all defendants so joined

In any action brought under this section if the plaintiff obtains a verdict or a judgment or an award by an auditor or before obtaining a verdict or a judgment obtains by the orphans' court in his favor or otherwise obtains an allowance of his claim he shall also be allowed costs of suits without regard to the amount of his claim and without the filing of an affidavit that the debt due or damages exceeds the sum of one hundred dollars If an action for the recovery of a debt be brought as aforesaid it shall be deemed to have been duly prosecuted to judgment if award in favor of the plaintiff be made by an auditor or the orphans' court or if the claim be included in a schedule of distribution and the latter be confirmed by the court

Section 2 Section fifteen of said act as amended by the act approved the second day of May one thousand nine hundred nineteen (P. L. 104) and the act approved the seventh day of June one thousand nine hundred nineteen (P. L. 412) is hereby further amended by adding after subsection (l) a new subsection to read as follows

Section 15

* * * * *

(m) In all cases where the executor administrator or a creditor of a decedent's estate within one year from the date of decedent's death petitions the court for sale of decedent's real estate for payments of debts under the provisions of section sixteen the lien on the real estate of such decedent shall continue for a period of six months from the date of the filing of such petition and the court before which such petition is pending shall have the power to extend the lien for such additional period as in its discretion it deems necessary where the proceedings on the petition have been delayed by litigation or dilatory practices without the fault of the petitioner

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Leader,	Taylor,

Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margie,	Tyler,
Chapman,	Heyburn,	McCreesh,	Walker,
Coleman,	Holland,	McGinnis,	Wilson,
Cox,	James,	Rosenfeld,	Woodring,
Crowe,	Jones,	Ruth,	Woodward,
Dent,	Kephart,	Scarlett,	Tallman,
DiSilvestro,	Klein,	Stevenson,	Presiding Officer

NAYS—7

Becker,	Crider,	Jaspan,	Wade,
Bowers,	Ealy,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 681, on third reading, entitled:

An Act to further amend section one of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" extending the probationing powers of courts

be recommitted to the Committee on Judiciary General for further study.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 690 entitled:

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JAMES. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 3, Page 2, Line 24, by inserting after the word "father" and before the word "mother" the following: and; amend Section 3, Page 2, Line 24, by deleting the following: [grandparent and grandchild].

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 691, as follows:

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interestate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment of individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as amended by the act approved the eleventh day of October one thousand nine hundred thirty- eight (P. L. 63) is hereby further amended to read as follows

Section 503 Whenever any mental patient is admitted whether by order of a court or judge or in any other manner authorized by the provisions of this act to any mental hospital maintained wholly or in part by the Commonwealth the cost of care and maintenance including clothing of such patient in such hospital shall be defrayed from the real or personal property of such patient [and this] Provided That such patient his guardian or trustee may claim an exemption of a sum not to exceed two hundred fifty dollars ($250) from the payment of such costs to be used as burial expenses upon the death of such patient And provided further That if such sum is not so used the sum claimed as an exemption shall become subject to payment of costs of maintenance as herein provided This liability may be enforced by writ of fieri facias venditioni exponas or attachment execution if he have any such property If he have no such property or is not possessed of sufficient property to defray suchfray such expenses then so much of said expenses as shall be in excess of any amount collected from his said property and paid on account of said expense shall be paid by such person as is liable under existing laws for his support and if there be no such person or if he is financially unable to pay such expenses or any

proportion thereof then such expenses or the proportion thereof which cannot be collected from the patient or the person liable for his support shall be paid by the Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 52

Mr. WALKER. Mr. President, I have a report from a Committee on Conference which I would like to submit to the Senate, and I would like to file it in order to get it to the printer at the earliest possible moment and therefore I ask unanimous consent to make report from a committee of conference at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I present report of the Committee of Conference on Senate Bill No. 52, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 52

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 52, entitled: "An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof, and preserving equitable jurisdiction in certain cases."

Respectfully submit the following bill as our report:

JOHN M. WALKER,
O. J. TALLMAN,
WALLACE S. GOURLEY,
(Committee on the Part of the Senate.)

JACOB L. MOSER,
DAVID P. REESE, JR.
JOHN J. BAKER,
(Committee on the part of the House of Representatives.)

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Short Title and Definitions

Section 1 Short Title This act shall be known and may be cited as the "Administrative Agency Law"

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

(a) "Adjudication" means any final order decree decision determination or ruling by an agency affecting personal or property rights privileges immunities or obligations of any or all of the parties to the proceeding in which the adjudication is made but shall not mean any final order decree decision determination or ruling based upon a proceeding before a court or which involves the seizure or forfeiture of property or which involves paroles or pardons

(b) "Agency" means any department departmental administrative board or commission independent administrative board or commission officer or other agency of this Commonwealth now in existence or hereafter created having statewide jurisdiction empowered to determine or affect private rights privileges immunities or obligations by regulation or adjudication but shall not include a court of record nor a magistrate alderman or justice of the peace

(c) "Party" means any person who appears in a proceeding before an agency who has a direct interest in the subject matter of such proceeding

(d) "Person" means any individual or organized group of any character including partnerships corporations and other forms of association as well as federal state or local instrumentalities political subdivisions or officers thereof

(e) "Regulation" means any rule regulation or order in the nature of a rule or regulation generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation

Representation and Discipline

Section 11 Representation Any party may be represented before an agency.

Section 12 Discipline Any agency may upon hearing and good cause shown preclude any attorney from practice before it subject to the same right of appeal as hereinafter provided from adjudications

Regulation Procedure

Section 21 Publication of Existing Regulations All regulations of any agency which are in effect on the effective date of this act or which shall be promulgated within ninety days thereafter shall expire one hundred days after the effective date of this act unless codified indexed and filed within said period of one hundred days for publication in the Pennsylvania Register Regulations promulgated after ninety days and within one hundred fifty days after the effective date of this act shall expire one hundred sixty days after the effective date of this act unless filed for publication in the Pennsylvania Register within said period of one hundred sixty days

Section 22 Publication of Future Regulations Revisions and Amendments No regulation or revision amendment or repeal of an existing regulation promulgated after one hundred fifty days following the effective date of this act shall be valid unless published in the Pennsylvania Register within forty-five days after its adoption

Section 23 Emergency or Extraordinary Regulations The provisions of this act requiring publication may be

dispensed with in cases in which the Department of Justice shall certify that because of an emergency or other compelling extraordinary circumstances the public interest requires that the regulation shall remain effective even though not published within the time required in Section twenty-two In such cases the regulation together with a copy of the certification of the Department of Justice shall be published in the earliest available issue of the Pennsylvania Register

Adjudication Procedure

Section 31 Hearing and Record No adjudication shall be valid as to any party unless he shall have been afforded reasonable notice of a hearing and an opportunity to be heard All testimony shall be stenographically recorded and a full and complete record shall be kept of the proceedings

Section 32 Evidence Cross-examination Agencies shall not be bound by technical rules of evidence at agency hearings and all relevant evidence of reasonable probative value may be received Reasonable examination and cross-examination shall be permitted

Section 33 Briefs Oral Argument All parties shall be afforded opportunity to submit briefs prior to adjudication Oral argument upon substantial issues may be heard by the agency

Section 34 Adjudications Service All adjudications shall be in writing shall contain findings and the reasons for the adjudication and shall be served upon all parties or their counsel personally or by mail If service is made by mail the date of mailing shall be the date of service

Section 35 Procedural Regulations Agencies shall have the power to promulgate regulations prescribing their practice with respect to adjudication procedure not inconsistent with the terms of this act The adoption of such regulations shall be subject to the provisions of sections twenty-one to twenty-three inclusive hereof

Judicial Review

Section 41 Appeals Within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority then within thirty days after service of the order of the agency refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom Such appeal shall be taken to the Court of Common Pleas of Dauphin County Parties interested jointly severally or otherwise in the same adjudication may join in an appeal therefrom even though all of the interested parties do not join therein

Section 42 Procedure on Appeal The procedure appliable to appeals from adjudications shall be in accordance with the rules of civil procedure promulgated from time to time by the Supreme Court of Pennsylvania A party who proceeded before an agency under the terms of a particular statute shall not be precluded from questioning the validity of said statute in the appeal but such party may not raise upon appeal any other question not raised before the agency unless allowed by the court upon due cause shown

The remedy at law provided by this section shall not in any manner impair the right to equitable relief heretofore existing and such right to equitable relief is hereby continued notwithstanding the provisions of this section

Section 43 Supersedeas Unless otherwise provided by a statute authorizing a particular appeal no appeal shall operate as a supersedeas unless the court to which the appeal is taken or a judge thereof shall so order after hearing Upon due notice to the agency The court may grant a supersedeas upon such terms and conditions including the filing of security as it may prescribe Where the statute pertaining to a particular subject of adjudication requires that security be filed as a condition to obtaining a supersedeas the court shall require adequate security

Section 44 Disposition of Appeal The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the agency After hearing the court shall affirm the adjudication unless it shall find that the same is in violation of the constitutional rights of the appellant or is not in accordance with law or that the provisions of sections thirty-one to thirty-five inclusive of this act have been violated in the proceeding before the agency or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence If the adjudication is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the agency for further disposition in accordance with the order of the court

Section 45 Appellate Review The agency or any party affected by any decision of a court on an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior or Supreme Court as in other cases

Exemptions

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of Sections 31 to 45 inclusive shall not apply to an adjudication of an agency from which an appeal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final

(b) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies

Repealer

Section 55 All acts or parts thereof inconsistent with the provisions of this act are hereby repealed All existing applicable statutory provisions not inconsistent with this act shall remain in full force and effect

Effective Date

Section 61 This act shall take effect on the first day of January one thousand nine hundred forty-six

The PRESIDING OFFICER. The report will appear on tomorrow's Calendar.

CALENDAR

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 696, on third reading, entitled:

An Act directing the county commissioners of each county to prepare certify and deliver to the Department of Internal Affairs at slated intervals a certified list of all real estate conveyances or transfers within such county together with the consideration for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Internal Affairs for such lists and making an appropriation

be recommitted to the Committee on Education.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 697, on third reading, entitled:

An Act requiring the consideration purchase price or

other value of the interest conveyed to be set forth in all conveyances or other transfers of real estate or interests therein prohibiting the recorder of deeds from accepting for record instruments not setting forth such consideration and requiring the recorder of deeds to deliver a list of such transfers and the consideration therefor to the county commissioners

be recommitted to the Committee on Education.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 714, as follows:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Depart-partment of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 369) "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" as amended by the said act of one thousand nine hundred forty-three is hereby further amended to read as follows

Section 1 Be it enacted &c That all clerks appraisers investigators and other persons required to assist any register of wills in any county of the Commonwealth in collecting and paying over inheritance taxes shall be appointed and their compensation fixed by the Secretary of Revenue and upon his approval and order shall be paid out of the said taxes in the hands of the registers together with other necessary expenses incident to the collection of such taxes including the payment of the cost of [registers' bonds to the Commonwealth] the premium on bonds filed by registers with the Department of Revenue

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 715, entitled:

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid: and providing penalties; and citing certain acts for repeal" by changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possession or enjoyment at or after death changing the provisions for rate of tax debts and deductions the computation of tax on life estates or estates for years the assessment of tax on future estates the lien of taxes and commissions to be retained by registers of wills.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, page 6, lines 24 and 25, by striking out after the word "depositories" and before the word "in", the following: in trust for or payable on death to another or; Amend Section 2, page 7, line 2, by striking out the light-faced bracket after the word "this" and before the word "act"; Amend Section 2, page 7, line 2, by inserting a light-faced bracket after the word "act" and before the word "of"; Amend Section 2, page 8, lines 1 and 2, by striking out after the word "depositories" and before the word "in", the following: in trust for or payable on death to another or.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 716, as follows:

An Act to further amend sections one and eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 839) is hereby further amended to read as follows

Definitions

Section 1 Be it enacted by the Senate and House

Section 1 Be it enacted &c That the following words and authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

18 "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act to the credit of the annuity savings account together with the regular interest credited thereon [.] to the date of the termination of the contributor's State services

Section 2 Section eleven of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 11 (1) Should a contributor before reaching superannuation retirement age by resignation or dismissal or for any other reason than death or retirement upon disability under section twelve or for superannuation under section thirteen cease to be a State employe he or she shall be paid [on demand] from the fund created by this act (a) the full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account as of the termination of such service or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity beginning at superannuation retirement age which shall be the actuarial equivalent of said accumulated deductions His or her membership in the retirement association shall thereupon cease

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, for the purpose of further study and possible consideration next year, I move that Senate Bill No. 720, on third reading, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergecny Relief Board for the slaughter of drought cattle and making an appropriation

be recommitted to the Committee on Agriculture.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 722, as follows:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and fifteen (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" by extending said act to counties of the second class changing and further fixing the fees to be charged by said prothonotary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of May one thousand nine hundred and fifteen (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts

of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" is hereby amended to read as follows

Section 1 The fees to be received by the prothonotary of the courts of common pleas of this Commonwealth in counties [having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census] of the second class shall be as follows

Action in Assumpsit

Entering issuing writ or alias writ and entering sheriff's return one dollar and twenty-five cents

All other docket entries before filing of pleas or entering judgment [two dollars] three dollars

Filing of plea or entering judgment for one defendant one dollar for each additional defendant twenty-five cents

Action in Trespass

Entering issuing writ or alias writ of summons or capias ad respondendum and entering sheriff's return one dollar and twenty-five cents

All other docket entries before filing of pleas or entering judgment [two dollars] three dollars

Filing of plea or entering judgment for one defendant one dollar for each additional defendant twenty-five cents

Adoption

Entering petition docketing and certificate seventy-five cents

Appeals

To Supreme and Superior Courts and bond thereon with justification [three dollars] ten dollars

From alderman justice of the peace and county court [one dollar and fifty cents] two dollars and fifty cents

Receiving and entering appeals from an award of arbitrators taking recognizance and affidavit one dollar

Receiving and entering appeal from board of viewers or assessors one dollar and twenty-five cents

Receiving and entering appeal from recount of election returns two dollars

Arbitrators

Entering of rule to choose fifty cents

Entering of rule to refer fifty cents

Assignments

Noting docketing and indexing [sixty cents] one dollar and twenty-five cents

Attachment

Attachment execution domestic attachment foreign attachment and under the act of one thousand eight hundred and sixty-nine filing docketing and issuing writ one dollar and twenty-five cents

Subsequent docket entries prior to judgment [two dollars] three dollars

Issuing attachment in contempt and motion thereof each name one dollar and twenty-five cents

Issuing attachment for defaulting witness fifty cents

Issuing attachment defaulting juror fifty cents

Bail

Bail-piece one dollar

Bail for stay entry and certificate one dollar

Receiving and care of cash deposit in lieu of surety [two per cent] one per cent on the first five hundred dollars [and one per cent on any additional amount] and one-half of one per cent on the next one thousand dollars and one-fourth of one per cent on any additional amount

Certificate

Certifying record and seal [fifty cents] one dollar

Issuing certificate of appointment of commissioner [fifty cents] one dollar

Issuing certificate of appointment of master [fifty cents] one dollar

Issuing certificate of appointment of auditor [fifty cents] one dollar

Issuing certificate of no appeal [one dollar] one dollar and fifty cents

Issuing certificate of no liens for each five years or fraction thereof [one dollar] for each name two dollars

Issuing certificate of liens for each five years or fraction thereof [one dollar and twenty cents] for each name two dollars and fifty cents additional for each lien unsatisfied

Issuing certificate of no suits for each five years or fraction thereof [one dollar] for each name two dollars

Certificate of commission to notary alderman and justice of the peace [fifty cents] one dollar

Certified copy of order of court for each page or fraction thereof [thirty cents] fifty cents

Certificate and seal fifty cents

Issuing certified copy of docket entry one dollar and fifty cents

Issuing certificate authorizing the collection of birds' nests or eggs for scientific purposes one dollar

Entering certificate of judgment against boroughs townships and school districts rendered by a justice or alderman fifty cents

Certiorari

Issuing writ and all proceedings thereon three dollars and seventy-five cents

Case Stated

Filing and docketing one dollar and twenty-five cents

All subsequent entries three dollars

Change of Name

Filing and docketing petition [two dollars] three dollars and seventy-five cents

Charter

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger and all proceedings thereon [five dollars and seventy-five cents] ten dollars

Citation

Filing and docketing petition issuing writ and return thereon one dollar and twenty-five cents

Docketing all further proceedings [two dollars] three dollars

Commission

Commission to take testimony docketing and entering thereon one dollar and twenty-five cents

Commission de lunatico inquirendo filing and docketing petition one dollar and twenty-five cents

Commission in partition and entering return [one dollar and twenty-five cents] two dollars

Condemnation of Property

Filing and docketing petition bond order of court and all subsequent docket entries four dollars and seventy-five cents

Contract

Filing and docketing building contract [one dollar and twenty-five cents] three dollars

Cost and Fees

Collection of costs and/or fees due to any person five per cent of the amount collected

Depositions

Entry of rule [fifty cents] one dollar

Dissolution

Of charter or partnership filing and docketing all proceedings thereon [five dollars and twenty-five cents] six dollars

Divorce

Filing and docketing libel issuing subpoena and enter-

ing sheriff's return [one dollar and twenty-five cents] four dollars and twenty-five cents

Issuing alias subpoena and entering sheriff's return one dollar and twenty-five cents

All subsequent docket entires including certified copy of decree three dollars and fifty cents

Election

Filing election returns custody of and delivery of same to returning board entering official returns in election docket each district one dollar

To be paid by the county

Reporting and certifying election of justice of the peace and all county State and other officers whose election is required to be reported and certified to the Secretary of the Commonwealth each officer certified fifty cents

To be paid by the county

Certificate of appointment of election officers one dollar and seventy-five cents

Petition to open ballot-box filing and docketing and certified copy of order one dollar and seventy-five cents

Ejectment

Issuing writ and entering sheriff's return one dollar and twenty-five cents

Indexing and all subsequent docket entries prior to plea [two dollars and twenty-five cents] three dollars and twenty-five cents

Filing plea or entering judgment thereon one dollar

Equity

Filing of bill one dollar and twenty-five cents for each name indexed twenty-five cents

Escheat

Entry and docketing proceedings five dollars

Estrepment

Issuing of writ one dollar and twenty-five cents

Exemplification

Record from other county filing and entering the same [one dollar and twenty-five cents] two dollars and twenty-five cents

Feme Sole Trader

Petition docketing and all services thereunder four dollars and seventy-five cents

Fieri Facias

Issuing and docketing writ and entering sheriff's return [seventy-five cents] one dollar and fifty cents

Issuing and docketing testatum fieri facias and entering sheriff's return [seventy-five cents] one dollar and fifty cents

Docketing and indexing testatum fieri facias from other county [one dollar and twenty-five cents] two dollars and twenty-five cents

Financial Statement

Filing and docketing [one dollar and twenty-five cents] one dollar and seventy-five cents

Guardian

Filing and docketing petition and all subsequent proceedings including certificate of appointment four dollars and seventy-five cents

Habeas Corpus

Issuing writ one dollar and twenty-five cents

Habere Facias

Issuing writ docketing and entering sheriff's return [seventy-five cents] one dollar and fifty cents

Habitual Drunkards

Filing and docketing petition and all subsequent proceedings four dollars and seventy-five cents

Injunction

Writ for preliminary injunction one dollar and twenty-five cents

Inquiry

Issuing of writ one dollar and twenty-five cents

Insolvency

Filing petition docketing and all subsequent proceedings four dollars and seventy-five cents

Judgments

Docketing and indexing confessed judgments [one dollar and twenty-five cents] one dollar and seventy-five cents

Entering satisfaction thereon [fifty cents] seventy-five cents

Judges Detailment of

Entry of order and certificate two dollars

To be paid by the county

Levari Facias

Issuing writ docketing and entering sheriff's return [seventy-five cents] one dollar and fifty cents

Lien

Release postponement restriction satisfaction or discontinuance [fifty cents] seventy-five cents

Lists

Preparing files and records for cases on trial list each case twenty-five cents

To be paid by the county

Preparing trial or argument list each case twenty-five cents

To be paid by county

Lunacy

Filing and docketing petition and all subsequent entries therein four dollars and seventy-five cents

Mandamus

Filing docketing petition issuing writ and entering return and all other services four dollars and seventy-five cents

Mechanics' Lien

Entering docketing and indexing [one dollar and twenty-five cents] three dollars

Mortgages Satisfaction Thereof

Filing docketing petition and all subsequent proceedings including certificate four dollars and seventy-five cents

Municipal Lien

Entering docketing and indexing one dollar and twenty-five cents

Naturalization

Duplicate copy of naturalization papers one dollar

Oaths of Office

Filing and docketing one dollar and seventy-five cents

Overseers of Election

Filing petition for appointment one dollar and twenty-five cents

Each certificate fifty cents

Party Name

Filing docketing and certificate for preemption of party name three dollars and seventy-five cents

Perpetuating Testimony

Filing and docketing petition one dollar and twenty-five cents

Entering order of court thereon and recording the same three dollars

Partition

Filing docketing and issuing writ of summons and entering sheriff's returns one dollar and twenty-five cents

Subsequent docket entries prior to judgment [two dollars] three dollars
Entry of judgment therein one dollar for each indexed name twenty-five cents
Writ de partitione faciendo one dollar and twenty-five cents

Petition

Filing petition for oral examination as to title of property one dollar
Filing and docketing any petition not herein specifically provided for [two dollars and fifty cents] three dollars

Possession

Entry issuing writ and return thereon [one dollar and twenty-five cents] one dollar and seventy-five cents

Quo Warranto

Filing and docketing petition issuing writ and all further proceedings thereon two dollars and fifty cents

Receipt

Entering or issuing [fifty cents] seventy-five cents

Registration and Certificate

Partnerships physicians veterinarians dentists and stallions one dollar

Remittitur

Entering the same from Supreme or Superior courts one dollar

Replevin

Entery issuing writ and all services prior to judgment [three dollars and twenty-five cents] four dollars and twenty-five cents
Issuing writ of retorno habendo [seventy-five cents] one dollar and fifty cents

Reports

Report to county commissioners of every judgment or lien assignment or satisfaction thereof each ten cents
Not to exceed six hundred dollars per annum
Entering report of treasurer and acknowledging treasurer's deed one dollar and fifty cents

School Auditor

Docketing order of appointment one dollar and twenty-five cents
Each certificate issued fifty cents
Entry of auditors' official oath fifty cents
Entry of report of school auditors' docket for each page of report thirty cents

School Directors

Docketing order of appointment and certificates thereof in districts of the first class two dollars

Scire Facias

Sur mortgage filing docketing issuing writ certificate to recorder entering on scire facias and entering sheriff's return one dollar and seventy-five cents
Alias writ one dollar and twenty-five cents
All other writs of scire facias and alias writs filing docketing issuing indexing and entering sheriff's return one dollar and twenty-five cents

Suggestion of Freehold

Entry and certificate one dollar

Subpoena

Issuing of [twenty-five cents] fifty cents

Tax Lien

Filing and entering each fifty cents
Satisfaction of each fifty cents
Filing and entering where special dockets are required and indexing on judgment index each one dollar and twenty-five cents
Filing and entering suggestion and averment of unpaid tax or municipal claim and indexing judgment docket one dollar
Preparing suggestions and averments each twenty-five cents
Furnishing list of unsatisfied tax liens each item shown twenty-five cents

Transcribing

Any paper or record per page or fraction thereof [thirty cents] fifty cents

Transcript

Docketing and indexing transcript from alderman justice of the peace and county court [one dollar and twenty-five cents] two dollars and twenty-five cents

Venditioni Exponas

Issuing writ and entering sheriff's return [seventy-five cents] one dollar and fifty cents

Verdict

Verdict fee and indexing in judgment docket four dollars

Viewers

Docketing petition one dollar and twenty-five cents
Issuing precept one dollar and twenty-five cents
All subsequent docket entries three dollars
Certified copy of report three dollars

Workhouse Release

Making out petition and certificate one dollar
The fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied
Section 2 This act shall become effective the first day of September one thousand nine hundred and forty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Margie,	Thomas,
Blass,	Haluska,	McCreesh,	Troutman,
Bowers,	Holland,	McGinnis,	Tyler,
Coleman,	Jaspan,	Rosenfeld,	Walker,
Cox,	Jones,	Ruth,	Woodring,
Dent,	Kephart,	Scarlett,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Tallman,
Farrell,	Leader,		Presiding Officer

NAYS—11

Carr,	Crowe,	James,	Wade,
Chapman,	Ealy,	Mallery,	Wilson,
Crider,	Heyburn,	Stevenson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

ERRATUM

Mr. HEYBURN. Mr. President, there has been an error in the printing of the Calendar, as Senate Bill No. 768, entitled:

An Act to further amend section six of the act, approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of high-

ways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aided highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated towns petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by changing certain routes.

appearing on page 20 of today's Calendar, was passed by the Senate last night.

The PRESIDING OFFICER. It appears that Senate Bill No. 768, is improperly listed on the Calendar for today.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I have been instructed to move that Senate Bill No. 774, on third reading, entitled:

An Act to add section one thousand three hundred nine to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," requiring reimbursement of counties and of cities of the first class by the Commonwealth for expenses of voting by official military ballots.

be recommitted to the Committee on Elections.

Mr. TYLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 780, on third reading, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

be recommitted to the Committee on Insurance.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 782, as follows:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third and fourth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all counties of the second third and fourth classes the fees and costs including commissions and mileage to be charged and received by the sheriff from persons or counties requiring their services shall be as follows

(a) For receiving docketing and making return thereof for each writ of scire facias replevin retorno habendo summons foreign attachment domestic attachment attachment execution subpoena in divorce distringas writ of sequestration writ of assistance satisfaction of mortgage injunction mandamus quo warranto bill in equity rule decree order citation subpoena series of interrogatories proclamation or official notice of any kind in any civil action criminal proceeding or public matter issued out of any court or required by law of court two dollars

For serving any such writ process or official notice required to be served by the sheriff personally or by copy served or posted two dollars and mileage

For each additional defendant or person served or copy posted one dollar and mileage

For making each copy served or posted one dollar

For return of tarde venit one dollar

For return of non est inventus one dollar and mileage

Provided however That no charge for service shall be made upon an alias or pluries writ if the same has been charged upon the original with respect to any defendant already served

For serving the same by publication in one or more newspaper as required by law or order of court two dollars and seventy-five cents in each case in addition to printer's bills

For serving any writ official notice petition rule decree process or order of court or copy thereof not herein specially provided for he shall charge and receive the same official fees and legal costs including mileage as for a writ served in a similar way as hereinbefore provided in addition to any fee of the prothonotary chargeable against the sheriff in relation thereto but no charge shall be made for any affidavit of such service except the fee of the notary or other official administering the oath or affirmation thereto For taking an affidavit one person fifty cents two persons seventy-five cents three or more one dollar

(b) For executing writs of levari facias fieri facias venditioni exponas or any writ or order issued out of any court requiring the levy and seizure of lands and tenements or selling the same according to law the following items to be paid by the plaintiffs or petitioners

For receiving docketing and making return thereof two dollars

For serving or posting any copy of notice thereof the fees and mileage hereinbefore provided

For levying on each separate piece or parcel of land one dollars and mileage

For advertising to public sale in newspapers each piece or parcel of land two dollars and seventy-five cents in addition to printer's bills

For advertising to public sale by hand-bills each piece or parcel of land separately described by metes and bounds or otherwise two dollars and seventy-five cents and mileage in addition to printer's bills

For crying the sale of each separate piece or parcel of land separately sold and each adjourned sale one dollar

In addition the sheriff shall charge and receive as an official fee a commission charge of two cents on every dollar based upon the total amount bid for the property whether paid to the sheriff or credited to the purchaser Provided That the amount of same does not exceed one thousand dollars ($1,000) in which case one-half cent (½c) on every dollar in excess of this amount shall be charged in addition

For executing and acknowledging any deed for lands and tenements three dollars to be paid by the purchaser when the deed is tendered

For registering the same in any municipality one dollar in addition to the fee required by law for registration to be paid by the purchaser

In addition the purchaser shall pay to the sheriff any fee of the prothonotary for the acknowledgment of the sheriff's deed and the fee of the recorder for recording same for which the sheriff shall account to them respectively

(c) For executing any writ of inquiry partition condemnation appraisement inquisition or any similar writ issued by any court alderman justice of the peace magistrate or commissioner under any act of Assembly the following items to be paid by the party who procured same

For receiving docketing and making return thereof two dollars

For summoning parties or persons in possession personally or by copy served or posted for first service one dollar and fifty cents and mileage

For each additional service personally or by copy or posting one dollar and mileage

For making each copy served or posted one dollar

For summoning and swearing special jurors four dollars

For holding inquisition or appraisement of real estate if same be held upon the premises four dollars and mileage to and from the place where same may be located in addition to jurors' experts' or surveyors' fees and necessary expenses

For other execution of any such writ four dollars

For serving the same by publication in one or more newspapers as required by law or order of court two dollars and seventy-five cents in addition to printer's bills

For delivering lands to plaintiff in inquisition or similar proceedings two dollars and seventy-five cents and mileage and no commission in such case shall be charged

(d) For executing fieri facias domestic attachment foreign attachment fraudulent debtor's attachment retorno habendo and replevin or any writ or order issued not of any court requiring the levy or seizure of personal property or selling the same according to law the following items to be paid by the parties procuring same

For receiving docketing and making return thereof three dollars

For serving or posting any copy or notice thereof the fees and mileage hereinbefore provided

For each levy on personal property one dollar and fifty cents and mileage

For return of nulla bona one dollar and mileage

For clerk hire at each sale whether on one or more writs against the same defendant two dollars

For advertising personal property to public sale by hand-bills two dollars and seventy-five cents and mileage in addition to printer's bills

For adjourning any sale one dollar and mileage

In addition the sheriff shall charge and receive as an official fee a commission of two cents on every dollar based upon the total amount realized from said sale whether paid to the sheriff or credited to the purchaser on account of any writ provided that the amount of same does not exceed one thousand dollars ($1,000) in which case one-half cent (½c) on every dollar in excess of that amount shall be charged in addition

For each watchman to take care of property attached levied upon or otherwise taken into legal custody when necessary or requested by any of the parties interested seven dollars for each period of eight hours to be considered a day's service and a proportionate sum of any fraction of such day to be payable to such watchman and collectable for his benefit by the sheriff from the party benefited thereby or person requiring his services in like manner as other legal costs payable to the sheriff may be collected

For insurance arranging goods for sale heat light power storage rent transportation supplies feeding livestock and similar expenses incurred in caring for and keeping the goods and chattels levied upon or attached when the same are necessary or advantageous or when requested by any party interested to incur any such expenses the actual costs thereof to be paid by the plaintiff petitioner or party requiring same to be incurred provided any surplus of advances for same be refunded

(e) For the settlement or staying by the plaintiff of any writ embraced in any section of this act relating to either lands and tenements or personal property the execution of the same not being concluded the sheriff shall receive the same fees for receiving docketing and returning levying and advertising with mileage and such commission as would be chargeable if sale had been made upon said writ for the amount paid to settle or stay the same whether such sum be paid to him or to the plaintiff or a compromise be made between plaintiff and defendant for the future payment of any sum to satisfy the same

For receiving and docketing each property claim wage claim rent claim or exemption claim two dollars to be paid by the claimant upon filing same with the sheriff or his deputy in addition to any fee collectable by the prothonotary or clerk of any court for filing any notice petition or rule relating thereto

For the appraisement of personal property by virtue of any act of Assembly or at the lawful request of any party four dollars and mileage Provided That in any case where the appraisement of a large quantity of goods or the services of experts shall be required the sheriff or any party may apply by petition to the court or a judge thereof having jurisdiction over said matter setting forth the facts and said court or judge may make an order fixing the sum to be allowed and paid to the sheriff for the compensation of the appraisers as the proper cost of making such appraisement which sum so fixed and allowed shall be taxed as the sheriff's proper legal costs The plaintiff or petitioner in the proceedings shall pay for the making and filing of any appraisement required unless otherwise provided by law

For notifying the Auditor General of the proposed sale of the property or the franchise of any corporation or joint-stock association three dollars

(f) For executing venire facias or venire facias jurotroes issued out of any court the following items to be paid by the county

For receiving docketing and making return thereof on each venire two dollars

For any services of the sheriff in drawing names of jurors from the jury wheel and summoning such jurors or summoning any jurors drawn by any jury board or commissioner the sheriff shall be entitled to charge and receive from the county one dollar and mileage and necessary expenses for each juror drawn

(g) For executing writs of habere facias liberari facias dower possessionem or possessory process requiring the delivery of possession of real estate or ejecting or dispossessing any person or persons of their effects five dollars and mileage and reasonable costs for help when necessary to preserve the peace or safeguard property in addition to the costs of sale when made to be paid by the party depositing such writ or demanding possession

(h) For executing any process warrant capias attachment decree sentence or order of court issued out of any court where any person or the defendant's body is taken into custody to be paid by the county when the Commonwealth is interested otherwise by the party procuring such process writ order or decree as follows

For receiving docketing and making return thereof two dollars

For each arrest one dollar and mileage in addition to necessary help and expenses including the compensation of any special deputies required who shall be paid at the rate of five dollars for eight hours' service

For transportation of each prisoner ten cents per mile in addition to necessary help and expenses including the compensation of any special deputies required who shall be paid at the rate of five dollars for eight hours' service

For each commitment to jail correctional institution asylum or place of detention of any juvenile court in any criminal or civil case fifty cents to be paid by the county unless otherwise provided by law

For discharging any person or prisoner from any such place of confinement in any case fifty cents to be paid by the county

For executing bail-piece or taking bond in any matter whether civil or criminal one dollar to be paid by the person benefited unless otherwise provided by law

In addiiton the sheriff shall receive for the indictment in each oyev and terminer case the sum of three dollars and in each quarter sessions court or other county court case the sum of one dollar and fifty cents to be paid by the county

For each bill ignored by the grand jury one dollar and fifty cents to be paid by the county

For each case acted upon by any juvenile court one dollar and fifty cents to be paid by the county

For ach non-support or desertion case acted upon by any court the sum of one dollar and fifty cents to be paid by the county

(i) Where the sheriff shall be in charge of any jail or prison or place of detention he shall be entitled to receive such allowance for the custody care and maintenance of prisoners and inmates as may be fixed by the courts or official boards of the respective counties having supervision of such institutions or as said courts or boards may approve upon itemized bills rendered from time to time to be paid by such county in addition to any compensation for his services fixed by law or by any court or official board authorized to fix such compensation

For removing an insane or weak minded or defective person to any institution for the confinement of any such persons or any person to the penitentiary workhouse Huntingdon Reformatory or to any charitable institution or any hospital school or home where persons are confined or detained or supported under any committment sentence or order of any court two dollars and fifty cents on each commitment or order in addition to mileage and necessary expenses including the compensation of any special deputies required who shall be paid at the rate of five dollars for eight hours' service to be paid by the county unless some other governmental body is chargeable therewith by law Provided however That the mileage for the person in custody under commitment or order shall be based upon the miles actually traveled to his or her destination.

(j) For attending court when required to do so by law or by any judge or district attorney or bringing into and removing therefrom prisoners for arraignment trial or sentence or witnesses held in custody the sum of ten dollars per day for the sheriff and a like sum for each deputy for each day of oyer and terminer court quarter sessions court juvenile court or county court including the County Court of Allegheny County when the sheriff or deputy is actually present to be paid by the county

(k) For levying or paying out fines three cents per dollar to be paid by the party or person receiving the fine

For issuing and recording any license one dollar in addition to the license fee payable to the county or Commonwealth to be paid by the licensee

For advertising general or special elections in newspapers two dollars and seventy-five cents in addition to printer's bills to be paid by the county

For advertising general or special elections by handbills for each polling place two dollars and seventy-five cents and mileage in addition to printer's bills to be paid by the county

For serving notice on the judge of each election district in special elections seventy-five cents and mileage to be paid by the county

(l) For services performed in his capacity as a conservator of the peace or police officer in suppressing riots mobs or insurrections and when discharging any duty requiring the summoning of a posse comitatus or special deputy sheriffs the sheriff shall receive a per diem compensation at the rate of five dollars for eight hours' service together with the mileage and necessary expenses including subsistence for himself and those under him to be paid by the county

For each special deputy appointed by any sheriff in case of any emergency to assist him in executing any civil or criminal process or court order or preserving the peace such sheriff may change and shall receive from the county compensation for such deputy at the rate of five dollars for eight hours' service in addition to the expenses incurred for the transportation and subsistence of such deputy while rendering such service

(m) For mileage in serving or executing any of the writs official notices rules decrees orders or processes or copies thereof or performing any of the duties or services herein specified or authorized by law the sheriff shall be entitled to charge and receive and may tax as official costs ten cents a mile circular for each mile necessary to be traveled by him or any of his deputies or employes and the same shall be allowed upon each separate writ rule order decree process or notice served or service performed Provided That he shall not receive more than one mileage where the plaintiff and defendant in two or more contemporaneous writs are the same or when conducting two or more persons or prisoners at one time to or from a place of detention or correction but he shall also receive the aforesaid mileage for transporting such prisoners and his deputies guarding them and meals and lodging during the journey and the return of his deputies

(n) For the executing of any matter directed to the sheriff or required by law or rule of court ths performance of which is not herein mentioned the sheriff shall receive the same official fees commissions and legal costs including mileage as for similar service herein specially provided for

(o) In all cases or proceedings of which the County Court of Allegheny County shall have jurisdiction the sheriff shall receive the same fees commissions and costs including mileage for official services in connection there-

with as for similar services in like proceedings in other courts of the Commonwealth

Section 2 In counties where the sheriff is or shall be compensated by a salary all fees and commissions which he shall be required or entitled to charge or receive for official acts or services shall belong to the county except such taxes fines and fees as are levied or collected for the Commonwealth or for the Federal Government and he shall not retain for his own use any such fees or commissions but shall be entitled to all mileage and other allowances for costs and expenses chargeable by him including the compensation of special deputies

However no county whose sheriff is salaried shall be required to pay him any fee or commission for services rendered to it by him or his regular deputies or clerks to which the county would be entitled if same shall be credited on his fee account as if same had been paid to him and accounted for by him and such a sheriff shall be entitled to deduct from any fees or commissions collected by him and due the county any overdue items for his salary or the compensation of his deputies clerks or other agents or for mileage or other allowances aforesaid or for any other charges against the county except fees or commissions earned by him or them to which the county is entitled as aforesaid provided he shall furnish the county treasurer of the county with itemized statements of such deductions which shall be subject to audit exception and correction in like manner as his fee accounts and claims against the county as now or hereafter provided by law For such purpose he shall file duplicates of such statements with the controller of the county with the monthly transcripts of his fee account which shall be subject to the inspection of the county commissioners or any taxpayer of the county.

Section 3 All official fees commissions and legal costs including mileage which are or shall be chargeable by the sheriff shall be payable upon demand unless otherwise provided herein No sheriff shall be required to render any service in any civil proceeding until he receives in demnity satisfactory to him for the payment of his official fees mileage expenses and legal costs or prepayment of same from the party at whose instance or for whose benefit such service is to be performed but any money advanced for his charges and not earned or expended shall be refunded to the payer thereof The sheriff without obtaining any extension of time for the return of any civil writ notice decree order or process may refuse to make return thereof until he shall receive all unpaid fees commissions mileage expenses and legal costs relating thereto from the party for whose benefit the same was granted or issued unless his charges are to be paid by the Commonwealth or any county thereof or he is ruled to make a return In case he does not receive his charges in advance or upon demand he may file with his return in any proceeding an itemized list of unpaid fees commissions mileage costs and expenses respecting the service to which such return relates and if no exceptions are filed to the same within thirty days from the time of making such return the items included in such list shall be considered taxed and confirmed as fees commissions mileage and costs due such sheriff and become a judgment in law and the said sheriff may issue an execution for the amount so taxed and collect the same from any party chargeable therewith without further suit and shall not be disqualified to enforce such execution by reason of his interest therein Provided That such taxation may be reviewed and execution controlled by any court having jurisdiction if sufficient cause be shown by any person aggrieved Nothing herein contained shall be deemed to impair the power of any court in any criminal proceeding to enforce the payment by any prosecutor or defendant of any fees commissions and costs including mileage chargeable by the sheriff or payable to him by the county in connection therewith in any manner now or hereafter provided by law

Section 4 The said sheriffs shall and are hereby required to make fair tables of their respective fees and commissions according to this act and to publish and keep a copy of the same in some conspicuous place in their offices at all times after this act becomes effective

Section 5 It shall be the duty of said sheriffs their deputies or agents if demand for that purpose shall be made immediately after receiving any of their official fees commissions and legal costs including mileage to deliver a bill of particulars specifying the several items contained therein and the amount thereof to the party paying said fees et cetera and to give a receipt therefor or to endorse on any written security when taken that the same was given for fees commissions and legal costs including mileage and to sign the endorsement so made

Section 6 The sheriff shall be relieved from any liability for the loss destruction removal or damage to any goods or chattels or any injury to any real estate levied upon seized or taken into possession by virtue of any writ attachment order decree distraint or sequestration if the person or party lodging the same with him shall refuse to advance or secure the reasonable fees mileage charges and expenses incident to the seizure safe keeping and proper protection of such property upon demand

Section 7 This act is intended as an entire and complete fee bill for sheriffs in all counties of the second third and fourth classes and any and all other acts general special or local or any parts thereof that are inconsistent herewith are hereby repealed without intending to revive any acts or parts of acts repealed thereby

The act approved the first day of June one thousand nine hundred thirty-three (P. L. 1141) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the counties including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws general special or local" is hereby repealed insofar as it relates to counties of the second third and fourth classes

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Warner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. DENT. Mr. President, since I am only half a sponsor on this bill, and it deals with twin axles, I am going to move that one axle and half the bill be recommitted

to the Committee on Highways and if the gentleman from Erie, Senator Blass, agrees, we will recommit the whole thing.

Mr. BLASS. I agree, Mr. President.

Mr. DENT. Mr. President, I move that Senate Bill No. 785, on third reading, entitled:

An Act to amend clause (h) of section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by fixing the maximum gross weight of truck tractors in combination with semi-trailers having two axles

be recommitted to the Committee on Highways.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 808, on third reading, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 828, as follows:

An Act to further amend section two and to amend sections three and four of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" further regulating the returns of taxable property made by taxpayers under the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 413) is hereby further amended to read as follows

Section 2 That the board of revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person copartnership unincorporated association joint-stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person copartnership unincorporated association company limited partnership joint-stock association and corporation shall respectively make return annually of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person copartnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company limited partnership joint-stock association or corporation which return shall be made and [sworn or affirmed] certified to by such taxable person and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnership and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated And provided further That whenever any personal property taxable under the provisions of this act was owned by a decedent at the time of his death and is held by his executor or administrator return of such personal property shall be made and the tax paid in the county wherein such decedent was domiciled at the time of his death notwithstanding the residence or location of such executor or administrator or of any beneficiary or the place where such securities are kept And provided further That whenever any personal property taxable under the provisions of this act is held owned or possessed as trustee agent attorney-in-fact or in any other manner as hereinabove set forth by two or more persons copartnerships unincorporated associations companies limited partnerships joint-stock associations or corporations all of which are residents of the Commonwealth but not all of which are domiciled in the same county return of such personal property shall be made in each county of this Commonwealth where any of the same are domiciled and there shall be paid in each such county that portion of the tax imposed upon such personal property so held owned or possessed as the number of such trustees agents or attorneys-in-fact domiciled therein bears to the total number thereof notwithstanding

the residence of any beneficiary or the place where such personal property is kept

Section 2 Sections three and four of said act are hereby amended to read as follows

Section 3 [That the affidavit] The certification of the return required to be made by the last preceding section shall [be made before the proper assessor or other person authorized to administer oaths and shall] set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of [wilful and corrupt perjury] a misdemeanor and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars [and] or undergo an imprisonment [by separate and solitary confinement at labor] not exceeding [seven] two years [and thereupon be forever disqualified from being a witness in any matter or controversy] or both

Section 4 [That the several assessors are hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by the preceding sections for the taking of which oath or affirmation no charge shall be made by the assessor] Any assessor who shall accept such return from any person or officer required to make the same without [requiring the oath or affirmation of such person or officer as herein provided or who shall make any charge for administering such oath or affirmation] it being certified shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine not exceeding [five] one hundred dollars

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Klein,	Taylor,
Berger,	Farrell,	Leader,	Thomas,
Blass,	Geltz,	Letzler,	Troutman,
Bowers,	Gourley,	Mallery,	Tyler,
Carr,	Haluska,	Margie,	Wade,
Chapman,	Heyburn,	McCreesh,	Wagner,
Coleman,	Holland,	McGinnis,	Walker,
Cox,	Homsher,	Ruth,	Wilson,
Crider,	James,	Scarlett,	Woodring,
Crowe,	Jaspan,	Snowden,	Woodward,
Dent,	Jones,	Stevenson,	Tallman,

Presiding Officer

NAYS—1

Rosenfeld,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 845 on third reading, entitled:

An Act to amend section thirteen of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provision to be misdemeanors and providing penalties for violations thereof" by further regulating the eligibility lists in cities of the second class "A"

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

ERRATUM

Mr. WADE. Mr. President, I submit to the Chair and the proper officers that House Bill No. 854 appeared on the calendar yesterday at page 33, under the same printer's number, the record shows that the bill was amended, and it now reappears on our calendar under the same printer's number and not in the amended form.

I therefore suggest that the proper officers be notified so that the bill will appear on tomorrow's calendar in the amended form.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 854, on third reading, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative offices and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 856, on third reading, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of March, one thousand nine hundred thirty-one (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class," by changing the fees to be allowed the said district attorney

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 870, on third reading, entitled:

An Act to further amend section fifteen, and to add section fifteen and one-tenth to, the act approved the

eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and to the protection of livestock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," authorizing county treasurers to retain certain moneys collected under said act, and the payment thereof to certain societies for prevention of cruelty to animals under supervision of the courts of common pleas.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 871, as follows:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section and making such further limitation retroactive

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 668) is hereby further amended to read as follows

Section 27 That from and after the passage of this act every incorporated company or limited partnership whatever whether the same be incorporated formed or organized under the laws of this or any other State or Territory and doing business within this Commonwealth and liable to taxation therein which is not subject to the taxes imposed by the twenty-first or twenty-fourth sections of this act except incorporated banks and savings institutions having capital stock and foreign insurance companies shall annually upon the fifteenth day of March of each year make report to the Department of Revenue setting forth the entire amount of net earnings or income received by said company or limited partnership from all sources during the preceding year and such other information as the Department may require and upon such net earnings or income the said company association or limited partnership as the case may be shall pay into the State Treasury through the Department of Revenue for the use of the Commonwealth within the time prescribed by law for the payment of State taxes settled by the Department of Revenue three percentum upon such annual net earnings or income in addition to any taxes on personal property to which it may be subject under the first section of this act The penalty for failure to make such report shall be as provided as law Provided That this section shall not apply to corporations and limited partnerships chartered or organized for manufacturing purposes nor to cooperative agricultural associations organized under the laws of this or any other State.

There shall be no liability for tax under the provisions of this act from any cooperative agricultural association doing business in the Commonwealth of Pennsylvania prior to the passage of this amendment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons co-operative agricultural associations having capital stock State and County officers boards and departments and providing penalties

And said bill having been read at length the third time

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 2, page 2, lines 6 and 7 by striking out the following language: [engaged only in agricultural enterprise and].

On the question

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 878, on third reading, entitled:

An Act to further amend sections three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" by further providing for the distribution of the proceeds of such reconveyance or sale

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 881, as follows:

An Act requiring boards of prison inspectors in counties of the fourth class to pay the premiums on all bonds required of employes appointed by the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all counties of the fourth class in which here is a board of prison inspectors such board shall pay out of the public moneys under their jurisdiction he premiums on all bonds of employes appointed by uch board who are required to furnish bond

Section 2 All acts and parts of acts general local and pecial which are inconsistent with the provisions of this ct are hereby repealed

And said bill having been read at length the third time, nd agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Glass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN, Mr. President, I move that House Bill No. 888, on third reading, entitled:

An Act to add section one thousand four hundred forty-four to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," establishing maximum term contracts for transportation of pupils; and requiring a bond for the faithful performance of such contracts.

be recommitted to the Committee on Education.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 890, as follows:

An Act to further amend section two thousand six hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the second third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city borough town or township

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand six hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 320) is hereby further amended to read as follows

Section 2603 In all school districts of the second and third class by the controller or auditors of the city borough incorporated town or township in which the whole or the greater or greatest portion of the area of each such district shall be located When in any school district of the second class the annual expenditures exclusive of moneys received from the sale of bonds shall exceed the sum of five hundred thousand dollars such district may employ a certified public accountant within sixty days from the close of the fiscal year

[When in] Any school district of the second third or fourth class [the annual expenditures exclusive of moneys received from the sale of bonds shall exceed the sum of two hundred thousand dollars ($200,000) such district] may employ a certified public accountant prior to the end of the fiscal year and when so employed such certified public accountant shall audit the finances of such school district for such fiscal year instead of the [elected] controller or auditors hereinbefore referred to and shall have all the powers and duties of such auditors

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 892, on third reading, entitled:

An Act to further amend section four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation and supervision of cooperative savings and credit associations to be termed credit unions; designating such credit unions as corporations, and defining their power and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further defining the membership of credit unions

go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. GOURLEY. Mr. President, I object.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that House Bill No. 892, on third reading, go over in its order.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GOURLEY. Mr. President, may I have the privilege of making a few remarks?

The PRESIDING OFFICER. The gentleman from Washington may proceed.

Mr. GOURLEY. Mr. President and members of the Senate, I believe we are all of the opinion that any organization or group should have the right or privilege to engage in any enterprise or program which that group or association might believe would be for their mutual advancement or welfare.

The Legislature in 1933 apparently was of that same belief and opinion, when it passed an act which made possible the incorporation of credit unions, and in that act, in section 4, they defined membership to mean any group having a common bond of occupation. In 1937 the Legislature amended the act of 1933 by defining a credit union to be a membership, large or small, having a common bond of association by reason of occupation. As lawyers, construing that phraseology, we know that it is necessary for any group or organization, in order to come within the provisions of this law, to be associated in a business by way of employment where their common bond is mutual in nature. I can see where it would have application to department store employes, to employes of the post office or individuals who work for an employer where their interests would be mutual in nature.

The amendments which have been presented to this Assembly provide, in addition to a group or organization which has a common bond of association by reason of occupation, that the law would be made more elastic by making it possible for any membership in a lodge, any membership in a fraternal organization, any membership in a religious organization, regardless of the nature of the religious group, any chartered cooperative association or any labor union, to have the right and privilege to create among themselves a credit union for the mutual benefit of their membership. The procedure to be followed under the law as it now exists is very simple. The only thing that needs to be done is for seven individuals to file articles of incorporation with the Department of Banking; the Department of Banking has to find that the applicants for a charter of incorporation are associated with or connected with a group who come within the same occupational field. If the Department of Banking approves the application, it is then certified to the Department of State, through the Secretary of the Commonwealth, and if the Secretary of the Commonwealth approves it, then the group has the authority and law to extend loans to their membership.

Approximately an hour ago my good friend from Allegheny, Senator Walker, in his argument for the passage of House Bill 658, stated that he saw no reason why the federation of women's clubs should not have a right to go into the field and solicit money without restrictions from any state department, and in his argument he referred to fraternal organizations, more particularly, to the Moose, Eagles and Elks, and he said they should have a free hand to do what they might want to do.

Gentlemen, I see no reason why any fraternal organization, any religious organization or any labor union, if its membership, through payment of dues or through the purchase of stock, wants to create among themselves a fund from which the membership can borrow money in time of need, that we in this Legislature should close the door on them and say "your organization is not of sufficient strength, your membership does not have sufficient integrity, your officers are not sufficiently sound in business dealings, your membership can not be trusted, and there-

ore we are saying to you the Legislature of Pennsylvania loes not think that your organization should be permitted o assist the membership of it when they have need of inancial assistance."

Gentlemen, I see no politics attached to this in any way whatsoever. As Senator Walker said, these fraternal organizations are composed of both Republicans and Demorats, and I think we owe it to all these groups to help hem to help their members when their members are n need.

An the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 901, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 77) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction

be recommitted to the Committee on State Government.

Mr. TROUTMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 908, on third reading, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by changing the name of the Commissioner of Health to the Secretary of Health; further regulating the duties of medical inspectors and sanitary officers; and the employment of school nurses and dental hygienists; requiring school employes and pupils to undergo examinations; authorizing advisory health councils; and repealing certain acts.

go over in its order.

The PRESIDING OFFICEER. Is there objection? The Chair hears none.

BILL ON THIRD READING, AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 936, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask permission to offer clarifying amendments at this time, and I ask the Clerk to read them.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 27, by adding after the word "mills" the following: except when the taxing authorities find it necessary to have a greater tax millage upon land and upon buildings to meet the necessary and essential expenses of Government; Amend Section 2, page 2, lines 25, 26 and 27 by striking out the words "upon land at a rate to exceed" in line 25, all of lines 26 and 27.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, am I right that the amendments have been agreed to by the Senate?

The PRESIDING OFFICER. The gentleman from Allegheny is correct.

RECONSIDERATION OF VOTE ON AMENDMENTS

Mr. GELTZ. Mr. President, I move that the Senate do now reconsider the vote by which the amendments were agreed to.

The PRESIDING OFFICER. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted in the affirmative; I heard no votes in the negative.

Mr. HEYBURN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted in the affirmative.

On the question,

Will the Senate agree to the motion?

Mr. DENT. On the question of reconsideration I just want to explain to the Senate exactly what the amendments do.

The PRESIDING OFFICER. The gentleman from Westmoreland may proceed.

Mr. DENT. Mr. President and members of the Senate, this bill is known as one of the so-called Pittsburgh tax bills. This bill is prompted primarily with the idea of directing the mayoralty campaign in Allegheny county from the halls of the General Assembly in Harrisburg. This bill, Mr. President and members of the Senate, fixes a limit for taxes to be levied on real estate in the city of Pittsburgh. It places the present millage of 25 mills on land and 12½ mills on buildings as the tax limit.

The gentleman who introduced this particular bill knows full well that the tax duplicates to be realized in the city of Pittsburgh by the present tax system, or the present tax levy, will return $1,500,000 less than the city needs to operate under its budget, assuming that they collect one hundred per cent of the tax duplicates. I believe that if the city council of the city of Pittsburgh, which is responsible to the people for the running of the government of the city of Pittsburgh, is not to be allowed to set its tax assessment to meet its requirements, then we here in turn ought to set a tax limit on the entire state, in every municipality.

It is probably, Mr. President and members of the Senate, one of the lowest types of political bill that has ever been introduced. The city of Pittsburgh happens to be Democratic by vote of the majority of the people—the General Assembly happens to be Republican by vote of the majority of the people—but at no time was it ever intended, when the citizens of the Commonwealth of Pennsylvania elected members to the General Assembly, that they were to sit here as the taxing authorities for the city of Pittsburgh.

There is no person within the hearing of my voice, that can tell this Senate the cost of government of the city of Pittsburgh. There is no person here that can tell me that next year, if there happens to be a flood, or the year afterwards, if they happen to have some other disaster, that this tax millage we now set will be sufficient to meet the cost of government in the city of Pittsburgh.

All I am asking for, if you intend to set this limit as it is, then you ought to also give additional powers to the council so that, if they need more money to run the essentials of government in the city of Pittsburgh, they be permitted to increase the tax millage.

Mr. President and members of the Senate, I do not believe the decent members of the Republican majority in this Senate are going to stand by and see the city of Pittsburgh suffer because certain people are promoting certain individuals for nomination to political offices in the city of Pittsburgh. There is no sound reasoning for the passage of this bill; there is no logic that says that this bill is required or is necessary. The council of the city of Pittsburgh is absolutely responsible to the people, responsible for the carrying on of the government of the city of Pittsburgh, and they ought to have the right to raise the money necessary to do so. I can not, for the life of me, understand how we men in the Senate of Pennsylvania can sit here and set taxes for the city of Pittsburgh. Where in our oath of office are we given the power to usurp the duties of the council of the city of Pittsburgh and take upon ourselves the setting of the tax millage for that city? We can not set the tax millage because we do not know what they need for their costs of government; we can not set the tax millage because we are not charged with that responsibility; we are not charged with carrying on the duties of the council of the city of Pittsburgh. We are charged here with carrying on the duty, as members of the General Assembly, of passing laws for the common good.

At no time were we ever instructed in this Senate in the manner and method of setting up a budget for the city of Pittsburgh. If you believe that is a proper duty of the members of the General Assembly, then let us set the budget for every city; let us take over all budgets; let us take it upon ourselves to go into every city and say, "your taxes are too great; we are going to set a limit and you live within that limit."

Why should a member of the Pittsburgh minority come into the Senate of Pennsylvania or into the House of Representatives and say to the city of Pittsburgh, "we will set your millage; we will tell you how much money you can spend for government; we will tell you what you can give to the people of the city of Pittsburgh by way of government"? You are going to tell us how many playgrounds can be built for the children; you are going to tell us how many streets can be repaired; you are going to tell us how many other duties, which are properly duties of the council of the city of Pittsburgh, you are going to usurp.

I say to you, gentlemen, that it is not our job, it is not the duty of the General Assembly to sit here in the halls of the Senate and take over the duties of the council of the city of Pittsburgh, and I ask you men on the other side to vote with me on these amendments and to vote against the motion to reconsider.

Mr. McGINNIS. Mr. Presdent, I am sure that every member on this floor believes in representative government. In the city of Pittsburgh we have a Democratic mayor, we have nine councilmen—every one a Democrat, elected by the people back home; we have sixty thousand majority registration, Democratic, in the city of Pittsburgh. Why the governor of Pennsylvania and the members of the House and the Senate of Pennsylvania would want to step in and meddle in our affairs in the city of Pittsburgh, I can not understand. They do not do it in Erie, they do not do it in Erie, they do not do it in Philadelphia, they do not do it in Easton or in the boroughs and townships. It seems to me that people ought to be big and broad when it comes to situations like this.

I am sure that the Earle administration would not have stooped to such tactics, to go into any city or any borough or township in this state and tell them how to run their government or what millage they should place. It is a most unusual thing, an amazing thing, and I can not understand why any party would stoop to such tactics.

Mr. GELTZ. Mr. President, I am sorry this question has come up at this time. It was our intention to ask that House Bill No. 936 go over in order, because it, as my colleagues on the left side of the Senate realize, is part of a program which was set up for correction of the tax situation in the city of Pittsburgh, and this bill, House Bill 936, is a companion bill to House Bill No. 1190.

What my colleagues say about the minority in Pittsburgh taking advantage of this situation is just about

as far from the truth, I think the record will show, as can be. In discussing the other bill, the companion bill, in the Post Gazette of May 3, 1945, an editorial goes on to say:

". . . why the Democrats oppose it after pleading for the last two years for a chance to tax something else than real estate, is a story of considerable interest to the Pittsburgh voters."

Mr. DENT. Mr. President—

The PRESIDING OFFICER. The gentleman from Allegheny, Senator Geltz, has the floor.

POINT OF ORDER

Mr. DENT. I rise on a point of order.

The PRESIDING OFFICER. The gentleman will state his point of order.

Mr. DENT. We are discussing, I believe, a bill that sets the limit on taxes and not the bill that widens the tax base; when we come to that, we will both be in the picture discussing the merits of that bill.

Mr. GELTZ. I intend to discuss House Bill No. 936.

The PRESIDING OFFICER. The gentleman from Allegheny will proceed.

Mr. GELTZ. As the gentlemen on the other side well know and realize, at the insistance of the Democratic council, the Democratic administration and the Democratic mayor of the city of Pittsburgh, a public hearing was held in the House on these bills. At that public hearing appeared Miss Anne Alpern, city solicitor, as the representative of Mayor Scully; there appeared also Tom Kilgallen, who is president of council; John T. Duff, who, I believe, is chairman of the committee on finance of council, and some of the other representatives of the Democratic Pittsburgh administration.

Tom Kilgallen, president of council, had this to say, among other things, which shows the necessity for something being done: "This room is rather well filled with Pittsburghers who are in agreement on one point, at least one point. That point is that we have a taxation system in our city which is so archaic and outmoded that it can no longer function. It was suitable for the eighteenth century, when land, when real estate constituted eighty-five per cent of our wealth in Pittsburgh, but is no longer suitable for the Pittsburgh of this century."

A little bit further on Councilman John T. Duff said:

". . . the proportion or the percentage of revenue derived from real estate is in excess of eighty per cent, so you see that anything which affects real estate has a very disastrous effect upon the city's revenues."

Councilman Duff, who is the chairman of the committee on finance, in discussing the situation of the millage on real estate in Pittsburgh said, in summing up, "so there is nothing attractive about owning real estate in Pittsburgh."

These quotations, Mr. President, are not my own statements, they are not statements of colleagues on my side or of the so-called Republican minority in Pittsburgh, but they are statements of the so-called Democratic majority and representatives of the Democratic administration in Pittsburgh.

Mr. Duff also went on to say that which ties these two bills together—this is in connection with something being done about the tax program—and I quote; "Now, to that end we came down to the Assembly and we introduced certain bills. I do not have the numbers right before me, but I think I can discuss them. The first one was that we requested the enactment of the so-called Sterling Act which enabled the city to levy on all subjects of property not taxable then or thereafter by the state; we made the exception that it should not extend to authorize a tax upon sales or a tax upon wages or upon salaries." That so-called Sterling Act is a similar bill to House Bill 1190, which is on the second reading Calendar, and for which we were going to hold House Bill 936, so that the two could ride through at the same time.

That bill, Mr. President, was introduced not by a Republican, but, as Councilman Duff says, by a Democrat—and I see my colleague, my good friend, Joe Barr, pointing to himself, so I expect he has one in, too, and maybe he is a little bit jealous because we are considering this bill and not his—I do not know.

Then Councilman Joe McArdle said "you want somebody taxed that you know that you can get paid. That is what the city wants, and I do not believe that real estate can stand any further taxation. I do think it could stand a little reduction if the city was in position to grant it at this time."

He also said "what we are concerned about is a set-up whereby we would have the power to get $27,000,000 a year in revenue, and if we have that power I would be perfectly satisfied to set a ceiling on real estate taxes myself."

Mind you, Mr. President, a Democratic councilman of the city of Pittsburgh said, "I would be perfectly satisfied to set a ceiling on real estate taxes myself."

That, Mr. President, is all this bill endeavors to do. Under House Bill No. 1190 there will be other forms of taxation available to the city administration in Pittsburgh, whether it be a Democratic administration or a Republican administration, and because every one who does any thinking about the subject appreciates that real estate in Pittsburgh can stand no further taxation, it was our thought that when we were giving greater taxing powers or broader taxing powers to the city administration, that there should be a ceiling on the millage on real estate.

They all admit that real estate is paying a greater proportion of the taxes than it can really stand for the benefit of everybody, including the citizens of Pittsburgh. The celing set in this bill is not a reduction from the present millage, but is the present millage, which all of those Democratic Representatives admit is far more than should be charged or should be paid in Pittsburgh.

Tom Kilgallen, in discussing this situation, said, "I want to correct this erroneous impression that the taxes in Pittsburgh are high. Not at all; the taxes against real estate in Pittsburgh are high, but they are non-existent as to anything else." In other words, he, a Democratic councilman, was willing to go on record that real estate taxes in Pittsburgh are high.

A little bit later Miss Alpern said, "We feel that real estate is bearing an undue portion of the load, and once a new source of revenue is found and the matter begins working adequately, real estate taxes will inevitably be decreased." Not, Mr. President, inevitably kept at the millage that now exists and at which we want to set

a ceiling, but she, the representative of Mayor Scully, says they will inevitably be decreased lower than the ceiling which we are setting in this bill.

She also said, and this applies to both House Bill No. 936 and House Bill 1190—this is the personal representative of the Democratic Mayor of the city of Pittsburgh—" . . . if the Legislature passes some of the bills that have been suggested before you, with the amendments which have been proposed—(some of which have been put in here, which exempt sales, wages and occupations)—we earnestly believe that the problems of this great industrial city can with your help be solved."

Mr. President, that is the city solicitor of Pittsburgh, the personal representative of the Democratic mayor of Pittsburgh, saying to a committee of the House in this Legislature, ". . . we earnestly believe that the problems of this great industrial city can, with your help be solved." That is all we are trying to do, Mr. President; answer that request and give them the help that the personal representative of the mayor requested and begged of the House committee when the public hearing was held on these bills.

Some people might wonder why it is that the Democratic Senators are objecting to this. The answer as to why they are objecting is not because they think the purpose of the bill is not correct, but in House Bill 1190, Mr. President, there is a dead line; in other words, the city administration must set its new taxes and the millage by the fifteenth of October and that, Mr. President, is what is breaking the Democratic—not mule or donkey, but camel's—back; they just can not bear to be compelled to tell the voters of the city of Pittsburgh, before the general election, what new taxes they are going to impose on the poor taxpayers in the city.

And so, Mr. President, even after they came down to this session of the Legislature and begged for the very thing that we are trying to give them, the very help they asked for, they are now willing to sacrifice everything and, as Miss Alpern said, eliminate the very necessary help to solve Pittsburgh's problems, simply because they are being asked to go on record before the general election and tell the citizens of Pittsburgh what they certainly have a right to know—"how are you going to solve the crisis in which this Democartic adminitsration has brought Pittsburgh in the last ten years"—and they know, Mr. President, as well as I do, that it is tragic, what their administration has done to the city of Pittsburgh is really disgraceful, they are in a worse condition financially, and that is the reason why they hesistate to admit it, but that is the reason why they had to come down here to Harrisburg to the Legislature and practically get down on their knees and say to the Legislature, "Won't you please help us solve our problem," and that is what we are trying to do—and now in the road they get.

Miss Alpern also said—and I will make the statement this is in connection with the real estate tax, the bill we are discussing now—". . . we feel that the rate that is now imposed is the highest rate that should be imposed if it is at all possible to do otherwise, but if you give us no relief, the city must go on, you have only one alternative."

That is the representive of the mayor of Pittsburgh, who says the millage which is set as the ceiling in this bill is the highest rate that should be imposed if there is some other alternative. Well, the other bill on the calendar, House Bill 1190, gives them the other alternative; it broadens their taxing powers so that they will be in position, if they are intelligent enough and if they are competent and efficient enough in administration, to have the revenue that is necessary to well manage the city of Pittsburgh.

Mr. McGINNIS. Mr. President, the most vicious thing that was ever done in this state was to have the Republican Party for over fifty years saddle taxes on real estate and the home owners in this state. They protected the corporations, until the Earle administration came along and levied taxes in other ways, but the curse of the Legislature in Pennsylvania for over fifty years is that the school taxes and the home taxes back home were saddled on homes.

In this session you have relieved taxes here and there but not one penny on the homes of Pennsylvania, and now you come to Pittsburgh—if there is one thing I have heard Governor Martin say many times it is this—home rule, let the people back home run their own affairs—and yet we come here, in the closing hours of this session, and try to ram down the throats of the people of Pittsburgh, where, as I said before, there is sixty thousand majority registration Democratic, nine members of council, every one Democratic, and a Democratic mayor, and why a Republican Governor and a Republican House and a Republican Senate should come back into our community and try to ram down our throats that we can not raise taxes on homes—we do not want to do it, we never did want to do it, we want to get them down—but I resent this Legislature or the Governor or the House or the Senate coming back into my city and exercising functions that belong to our council and to our mayor and to our own people.

Why, there is not a member on this floor from Easton, Erie or Philadelphia or any place else, that would not resent that with every drop of blood in his body.

Of course, I do not think taxes will go any higher on real estate than they are in Pittsburgh now, but I like to be a loyal, free American back home in Pittsburgh, and I resent this Legislature or any other body coming back into my community and telling me to put a lid on it, when they do not know anything about the situation; they do not know whether we are going to have a flood in Pittsburgh that might destroy half of our property.

I might go on and tell you what the federal administration has done for the city of Pittsburgh on floods, but I am not going into that. But we do not know what is going to happen, and you do not know in your community or your city or borough or township what might happen next year from floods or catastrophes or fires or what not, and for this Legislature to tie the hands of any community, small or large, is most unreasonable to me.

Mr. DENT. Mr. President, I am not going to get into a discussion with Mr. Geltz concerning taxes in the city of Pittsburgh, or the advisability of passing this bill, but I will tell him something that evidently he does not know, that the plight of the city of Pittsburgh is not

caused by the Democratic administration's mismanagement or lack of intelligent handling. It is caused, Mr. Geltz, by the very simple fact that there has been a very great decrease in the amount of land values in the city of Pittsburgh for real estate tax purposes, because many home owners and businesses have moved out of the crowded and congested Pittsburgh district and have moved into the rural districts. They have moved away, they are moving out, the movement is apparent all over Pennsylvania. Good roads, electrical services, gas, utilities of all kinds are now available in the areas outside of the city limits, and so thousands upon thousands of dollars of real estate value are no longer available for tax purposes, and that is why you can not have sufficient funds to run your government in Pittsburgh without having an excessive real estate tax.

I might suggest that the man who introduced this bill, and the men who now argue for it, neither one of the two live in the city of Pittsburgh, and are not subject to the taxes of Pittsburgh, not subject to them at all.

Mr. President, and members of the Senate, I appeal to you men on the other side in the name of fair play. My taxes at home are higher than they are in the city of Pittsburgh, upon my real estate, but I do not come crying to the General Assembly to tell my city council how to run the city of Jeannette. I think that the people who elected them have every confidence that they can run the city, and if they have not they can run them out at the very next election. If this is an issue for you to take home for your next campaign, take it back home and fight it; do not bring it here to the Senate of Pennsylvania, because we admit we do not know enough about Pittsburgh to set its budget.

Mr. McGINNIS. Mr. President, I forgot, when I had the floor previously, to answer one charge by Senator Geltz, about the administration of the city of Pittsburgh, and I want to announce here that it has been the best administration that the city of Pittsburgh has ever had. We have paid off more bonds and our city today is in the best shape it ever was financially, and we can sell our bonds cheaper and better than any other city in the United States today, because we have had a real administration and we have given service.

You ought to see our playgrounds. You ought to see what has been done in the city of Pittsburgh, not for the big shots but for the poor districts; you ought to see what has happened in the last eight or ten years in the city of Pittsburgh that never happened before. We have given the best administration that has ever been given to any city in the United States; we have done more for the people, in streets, highways, sewers. Why, the sewers in the city of Pittsburgh had not been touched for fifty years and they were breaking in and being crushed and destroyed because they had never been touched, but we have rebuilt them, with federal aid.

We had the federal government come down into the city of Pittsburgh to help rebuild our sewers and our playgrounds and our homes and tear down slums and build a better city, and then for anybody on this floor to say that the city of Pittsburgh comes down here begging—we do not come here to beg, but we think that this plan that the Republican party has saddled on the homes of Pennsylvania for over fifty years, which is now crushing them and destroying them, we think that we ought to have a right in Pittsburgh to levy a tax on something else, and not put your finger on it here and tell us what to do, when you do not know a thing about it. It is silly and so undemocratic and so unfair that I just can not quite understand it.

Mr. GELTZ. Mr. President, this fine administration we just heard about is very interesting to me because I recall, at the same hearing on these bills, in connection with these sewers that my good friend, Senator McGinnis, talked about, that Councilman Duff, the same chairman of the finance committee, was talking about what a deplorable condition the city of Pittsburgh was in, that they were going to need a complete renovation of the sewer system, because some of the sewers had not even been examined in the last ten years—during this fine Democratic administration—whereupon he was asked if a few years ago there was not a bond issue passed in the city of Pittsburgh and bonds issued for the specific purpose of renovating, rebuilding and renewing these sewers, and the chairman of the finance committee of the Democratic council of Pittsburgh said he thought there had been; and then he was asked if he knew what had been done with that money and he said, "well, it had been used for something." Yes, it had been used for something—it had been run in with the general fund that had been so loosely spent in the city of Pittsburgh.

The tax rate has steadily increased, their budget has increased since the Democratic administration has been in, and in adidtion to that the Commonwealth took over the mental institution of the city, Mayview. I understand that now the county has taken over the indigent part of the city administration. In other words, Mr. President, their expenditures should be going down, but instead they are going up.

In order to meet this year's budget they had to be taken into court on a question of refinancing, I believe, or refunding of $1,500,000 in bonds in order to meet their present budget.

Mr. President, if that is not all the reason in the world why this ceiling bill should be passed to protect home owners and real estate owners, when we are broadening their taxing power and when real estate taxes are, as their own representatives say, at the highest millage they should be and at a point where now real estate owning in Pittsburgh is no longer attractive, then I do not know what good reason you could have.

In conclusion, Mr. President, from the same editorial from which I read before, the Post Gazette of May 3, we have this statement: "An if the Democrats continue to oppose this bill, it won't be because of the amendments. The House vote made it clear—(with its adoption over in the House, the same as here)—that no bill would be acceptable, however liberal in its terms, if it compelled the present city administraiton to disclose its tax plans before the election."

That statement is in connection with a discussion of House Bill 1190, which is tied in with this House Bill 936.

Mr. DENT. Mr. President, I do not want to call to my aid editorials. I have editorials here, too, dealing

with House Bill 1190. We will argue House Bill 1190 when we come to it. I want you gentlemen to realize that the gentleman from Allegheny has read in support of this bill an editorial written in support of House Bill 1190. This bill ought to stand, rest or fall, entirely upon its own merits.

I only ask each man in this Senate to ask himself this question: "If this bill tonight dealt with my home community, would it be fair?"

Mr. ROSENFELD. Mr. Presidnt, in my sleepy condition, it occurred to me that Senator Geltz was probably talking about the city of Philadelphia. I would like to know whether the Senator from Philadelphia, Dr. Woodward, would permit himself to be interrogated.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Senator Woodward, permit himself to be interrogated?

Mr. WOODWARD. I hope I can answer the questions.

The PRESIDING OFFICER. The gentleman from Philadelphia will proceed.

Mr. ROSENFELD. For possible future reference, would the gentleman from Philadelphia be willing to place a ceiling on real estate taxes in the city of Philadelphia?

Mr. WOODWARD. I do not believe in any tax limit. I had a terrible experience when I tried to do a favor for a personal friend, to aid and abet the limitation of the federal taxation on income to twenty-five per cent—well, it was a very unhappy experience and I am sorry I had anything to do with it, but it taught me a lesson and I am certainly against any limitation on taxation.

Mr. ROSENFELD. Will the gentleman from Philadelphia, Mr. Farrell, permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. ROSENFELD. For possible future reference, would the gentleman from Philadelphia, Mr. Farrell, be in favor of placing a limit on the real estate tax rate in the city of Philadelphia.

Mr. FARRELL. I would not know, Mr. President; I have not been paying any attention to what has been going on; there have been so many orations, I would not know.

Mr. McGINNIS. Mr. President, talking about the administration in the city of Pitsburgh for the last nine years, I want to say to this Senate that the bonded indebtedness has been reduced—I can not give you the exact figures, but I think it is around $10,000,000. We paid off more bonds in the last ten years in the city of Pittsburgh than were paid off in any twenty years before.

Ten years ago the budget in Pittsburgh was over $27,000,000. Now with additional costs, and additional services being rendered, I believe we are only asking for $25,000,000, but this bill, in conjunction with the other bill, is one of the policies that the Republican administration has rammed down our throats for over fifty years.

There is another bill, but it is so amended—in fact, one of the amendments provide we shall not tax $37,000,000 worth of utilities. In other words, they are going to hedge us down and keep the taxes on the homes of the city of Pittsburgh; so narow are the provisions of these bills, this bill and the other one, that you can not tax anything else. That has been the policy in Pennsylvania for fifty years or more, to tax nothing but real estate, the home owners, and let the big business slide out, slip along—favors and privileges—so that today with these two bills they are doing the same thing to the city of Pittsburgh.

This Legislature is afraid to let the city of Pittsburgh run its own business and tax what it wants to tax, tax something besides real estate. Why, this bill and the other bill so tie us down that we can not tax any privilege, we can not tax any utilities, we can not do anything but saddle the taxes on the homes, and that has been the policy for fifty years and is still the policy here tonight.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—27

Becker,	Crowe,	Letzler,	Wade,
Berger,	Ealy,	Mallery,	Wagner,
Blass,	Farrell,	Snowden,	Walker,
Bowers,	Geltz,	Stevenson,	Wilson,
Carr,	Heyburn,	Taylor,	Woodward,
Chapman,	Homsher,	Thomas,	Tallman,
Crider,	James,	Troutman,	Presiding Officer

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

So the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the amendments?

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that House Bill No. 936 on third reading, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferrnig certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 956, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by

changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" and its amendments are hereby deleted as indicated or amended to read as follows

Shippingport Borough

[Route 04068 Extending Route 04068 Beginning at a point on the Shippingport Borough-Racoon Township line thence in a northwesterly direction on an unnamed street to an intersection with Route 483 in the borough of Shippingport Beaver County a distance of about .02 of a mile]

Eastvale Borough

[Route 04076 Extending Route 04076 Beginning at a point on the Eastvale-Borough-Daugherty Township line thence in a westerly direction on Fourth Street to application 122 in the borough of Eastvale Beaver County a distance of about .13 of a mile]

Alba Borough

[Route 08038 Extending Route 08038 Beginning at a point on the Alba Borough-Canton Township line thence in a southeasterly direction on Fall Brook Road to an intersection with Route 20 at Fall Brook Road and Main Street in the borough of Alba Bradford County a distance of about .50 of a mile]

Atglen Borough

[Route 15206 Extending Route 15206 Beginning at a point on the West line of Atglen Borough about 0.1 of a mile north of the West Fallowfield Township line thence easterly over a borough street to a point on Route 215 about 0.1 of a mile north of the West Fallowfield Township line in the borough of Atglen Chester County a distance of about 0.4 of a mile]

Clearfield Borough

[Route 17084 Extending Route 17084 Beginning at a point on the Lawrence Township-Clearfield Borough line thence in an easterly direction on Martin Street to a point on Route 17041 at the intersection of Martin Street and Turnpike Avenue in the Borough of Clearfield Clearfield County a distance of about 0.3 of a mile]

Driftwood Borough

[Route 12001 Extending Route 12001 Beginning at a point on Route 12001 at the Driftwood Borough-Gibson Township line Cameron County thence in a northwesterly direction via public road along Bennett Branch of the Sinnemahoning Creek to an intersection with a continuation of Route 12001 at the Driftwood Borough-Gibson Township line a distance of about .30 of a mile]

Williamstown Borough

[Traffic Route 326] Route 22032 Extending Route 22032 Beginning at a point on the Williamstown Borough-Williams Township line [thence in an easterly direction on Broad Street to an intersection with Broad and Grant Streets] thence in a [southerly] northerly direction on [Grant] Railroad Street to an intersection with State Highway Route 199 at [Grant] Railroad and Market Streets in the borough of Williamstown Dauphin County a distance of about [.29] 0.1 of a mile

Swarthmore Borough

[Route 23092 Extending Route 23092 Beginning at a point on the Swarthmore Borough-Ridley Township line thence in a southwesterly direction on Michigan Avenue to an intersection with the continuation of Rural Route 23071 at Michigan Avenue and Leiperville Road in the Borough of Swarthmore Delaware County a distance of about .61 of a mile]

Trainer Borough

[Route 23012 Spur Beginning at a point on Route 23012 at the intersection of Boyds Lane and Langley Street thence over Langley Street to a point on Application 1249 at Langley and Ninth Streets in the borough of Trainer Delaware County a distance of about 0.4 of a mile]

Upland Borough

Route 23014 Extending Route 23014 Beginning at a point on the Chester Township-Upland Borough line thence in southerly direction on Main Street to [a point on the Upland Borough-Chester City line] an intersection with Route 23013 in the borough of Upland Delaware County a distance of about [1.19 miles] 0.45 of a mile

Ridley Park Borough

[Route 23102 Extending Route 23102 Beginning at a point on the line between Ridley Township and Ridley Park Borough thence over Haverford Road to a second point on the above boundary in the borough of Ridley Park Delaware County a distance of about 0.26 of a mile]

Girard Borough

[Route 25094 Extending Route 25094 Beginning at the Girard Borough-Girard Township line and extending over Haggerty Street to Hathaway Street thence over Hathaway Street to Church Street and over Church Street to Route 86 at the intersection of Church and Main Streets in the Borough of Girard Erie County a distance of about 0.8 of a mile]

Chambersburg Borough

Route [28007] 28006 Extending Route [28007] 28006 Beginning at a point on the Chambersburg Borough-Hamilton Township line thence in a southerly direction on Commerce and Hood Streets to an intersection with Route 37 at Hood Street and Lincoln Way west in the borough of Chambersburg Franklin County a distance of about .84 of a mile

Blairsville Borough

Route 32005 Extending Route 32005 Beginning at a point on the Blairsville Borough-Burrell Township line thence in a northwesterly direction on South Liberty Street to an intersection with Main Street thence over Main and Walnut Streets to Route 223 at [West] Market and [South Liberty] Walnut Streets in the borough of Blairsville Indiana County a distance of about [.45] 0.60 of a mile

Big Run Borough

[Route 847 Extending Route 847 Beginning at a point on the Henderson Township Big Run Borough line thence southwesterly on Caroline Street to an intersection with Route 189 at Caroline and Main Streets in the Borough of Big Run Jefferson County a distance of about 0.23 of a mile]

Sykesville Borough

[Route 33075 Extending Route 33075 Beginning at a point on the Winslow Township Sykesville Borough line thence over a borough street to a point on Route 338 at Main Street in the borough of Sykesville in Jefferson County a distance of about 0.4 of a mile]

Stroudsburg Borough

Route 45054 Extending Route 45054 Beginning at a point on the Stroud Township-Stroudsburg Borough line thence over Cherry Lane [to a point on Route 498 at Cherry Lane and Foxtown Road] and Broad Street to a point on Route 166 at Main Street in the borough of Stroudsburg Monroe County a distance of about [0.21 of a mile] 1.2 miles

Somerset Borough

Route 55043 Extending Route 55043 Beginning at a point on the Somerset Borough-Somerset Township line

thence in a northerly direction on South Edgewood Avenue to an intersection with Route [50] 186 at South Edgewood Avenue and West [Patriot] Main Street in the borough of Somerset Somerset County a distance of about [.94 of a mile] 1.08 miles

Montrose Borough

Route 944 Extending Route 944 Beginning at a point on the Bridgewater Township and [western] southern Montrose Borough line thence [easterly on Owego Street to an intersection with Route 57078 and Owego Street thence from a point on Route 57025 southeasterly] northwesterly on Bank Street to Route [944] 57025 [at the southern borough line] in the borough of Montrose Susquehanna County a distance of about [0.28] 0.2 of a mile

[Route 57132 Extending Route 57132 Beginning at a point on the Bridgewater Township-Montrose Borough line thence westerly to a point on Route 57024 in the borough of Montrose Susquehanna County a distance of about 0.1 of a mile]

Derry Borough

Route [64071] 64263 Extending Route [64071] 64263 Beginning at a point on the Derry Borough-Derry Township line thence in a northwesterly direction on Chestnut Street to an intersection with First Avenue thence in a northeasterly direction on First Avenue to the end of an overhead bridge thence in a northwesterly direction on the overhead bridge to an intersection with Second Street thence in a southwesterly direction on Second Street to an intersection with Chestnut Street thence in a northwesterly direction on Chestnut Street to an intersection with State Highway Route 975 on the Derry Borough-Derry Township line in the borough of Derry Westmoreland County a distance of about .65 of a mile

Section 2 Said act is hereby further amended by adding thereto the following new routes

Allegheny County

Castle Shannon Borough

Route 02235 Extending Route 02235 Beginning at a point on the Castle Shannon Borough-Mt Lebanon Township line thence over Castle Shannon Road to a point on Route 247 in Castle Shannon Borough Allegheny County a distance of about 0.5 of a mile

Oakmont Borough

Beginning at a point on Route 02196 at Oakmont Avenue and Plum Street and extending in a northerly direction on Oakmont Avenue to the Plum Township line in the Borough of Oakmont Allegheny County a distance of about 0.6 of a mile

Beginning at the end of the Hulton Bridge thence over Hulton Road to the Plum Township line in the Borough of Oakmont Allegheny County a distance of about 0.5 of a mile

Beaver County

Fallsten and Bridgewater Boroughs

Route 04120 Extending Route 04120 Beginning at a point the Patterson Township Fallston Borough line thence over Beaver Darlington Road to a point on Route 204 in the Boroughs of Fallston and Bridgewater Beaver County a distance of about 1.27 miles

Bradford County

Athens Borough

Route 08188 Extending Route 08188 Beginning at a point on the Athens Borough Athens Township line thence over Pine Street to Route 287 at Pine and Main Streets in the Borough of Athens Bradford County a distance of about .3 of a mile

Canton Borough

Route 08189 Extending Route 08189 Beginning at a point on the Canton Borough Canton Township line thence easterly over South Main Street to Route 08005 at South Main Street and Lake Road in the Borough of Canton Bradford County a distance of about 0.6 of a mile

Butler County

Prospect Borough

Route 10120 Extending Route 10120 Beginning at a point on the east line of Prospect Borough thence westerly on a Borough Street to an intersection with Route 10043 in the Borough of Prospect Butler County a distance of about .95 of a mile

Cameron County

Emporium Borough

Route 12009 Extending Route 12009 Beginning at a point on the Emporium Borough-Shippen Township line thence over Oak and Portage Streets to Route 105 in the Borough of Emporium Cameron County a distance of about .42 of a mile

Carbon County

Parryville Borough

Route 13046 Extending Route 13046 Beginning at a point on the Lower Towamensing Township line thence northeasterly over a borough street to the Franklin Township line thence from a second point on the Franklin Township line northwesterly over a borough street to a point on Route 163 Spur in the Borough of Parrysville Carbon County a distance of about 1.4 miles

Centre County

Bellefonte Borough

Route 14057 Extending Route 14057 Beginning at a point on the south line of Bellefonte Borough near Route 27 thence northwesterly to a point on Route 346 in the Borough of Bellefonte a distance of about 0.07 of a mile

Route 346 Spur Beginning at a point on Route 346 at High and Spring Streets thence over Spring Street to a point on Route 107 at Spring and Linn Streets in the Borough of Bellefonte a distance of about 0.43 of a mile

Clearfield County

Clearfield Borough

Route 17119 Extending Route 17119 Beginning at a point on the Clearfield Borough Lawrence Township line thence southerly to Market treet and westerly on Market Street to an intersection with Routes 57 and 59 at Market and Second Streets in the Borough of Clearfield Clearfield County a distance of about 0.5 of a mile

Route 17120 Extending Route 17120 Beginning at a point on the Clearfield Borough Lawrence Township line thence northerly on Clark Street to Route 17119 at Clark and Market Streets in the Borough of Clearfield in Clearfield County a distance of about 0.3 of a mile

Wallaceton Borough

Route 17121 Extending Route 17121 Beginning at a point on the western line between Wallaceton Borough and Boggs Township just south of Laurel Run thence easterly and southerly on a borough street to the southern borough line in the Borough of Wallaceton Clearfield County a distance of about 0.51 of a mile

Columbia County

Centralia Borough

Route 19116 Extending Route 19116 Beginning at a point on the south Conyngham Township Centralia Borough line thence northerly to a point on Route 19082 in the borough of Centralia Columbia County a distance of about 0.03 of a mile

Cumberland County

Camp Hill Borough

Route 21092 Extending Route 21092 Beginning at a point on the East Pennsboro Township line at Seventeenth Street thence southerly over Seventeenth Street to a point on Route 123 at Front Street in the Borough of Camp Hill Cumberland County a distance of about one mile

Dauphin County

Williamstown Borough

Route 22031 Extending Route 22031 Beginning at a point on the west line of Williamstown Borough thence easterly on Market Street to the eastern Borough line in the Borough of Williamstown Dauphin County a distance of about 0.88 of a mile

Erie County

North Girard Borough

Route 25119 Extending Route 25119 Beginning at a point on the Girard Borough line thence over Lake Street to an intersection with Routes 25019 and 25020 at Lake and Depot Streets in the Borough of North Girard Erie County a distance of about 0.5 of a mile

Edinboro Borough

Route 709 Spur Beginning at a point on Route 258 at the intersection of Meadville and Normal Streets thence over Normal and Ontario Streets to a point on Route 709 in the Borough of Edinboro Erie County a distance of about 0.4 of a mile

Union City Borough

Route 304 Spur Beginning at the intersection of North Main Street and Market Street in the Borough of Union City Erie County thence over Market Street in an easterly and northeasterly direction to the intersection of Market Street with East High Street a distance of about 0.3 of a mile

Fayette County

Fayette City Borough

Route 26174 Extending Route 26174 Beginning at a point on the Fayette City Borough-Washington Township line thence southwesterly on a borough street to Route 247 in the Borough of Fayette City Fayette County a distance of about 0.5 of a mile

Jefferson County

Falls Creek Borough

Route 33085 Extending Route 33085 Beginning at a point on the western Falls Creek Borough line thence easterly over Fuller Avenue to Route 650 Spur at Third Street in Falls Creek Borough Jefferson County a distance of about 0.5 of a mile

Lawrence County

Ellwood City Borough

Route 37011 Spur Beginning at a point on Route 37011 at Fifth Street thence northerly over Fifth Street to an intersection with Route 315 at Fountain Avenue in the Borough of Ellwood City Lawrence Count a distance of about 0.25 of a mile

Bessemer Borough

Route 37081 Extending Route 37081 Beginning at a point on the North Beaver Township line at South Main Street thence over South Main Street to a point on Application 4918 in the Borough of Bessemer Lawrence County a distance of about 0.8 of a mile

Luzerne County

Nuangola Borough

Route 40025 Extending Route 40025 Beginning at a point on the south borough line thence northerly on a borough street to a point on Route 40026 approximately 0.4 of a mile southeast of Lake Avenue in Nuangola Borough Luzerne County a distance of about 1.0 mile

Lycoming County

Muncy Borough

Route 41139 Extending Route 41139 Beginning at a point on Route 18 at the intersection of Penn and Main Streets thence easterly over Penn Street to the Muncy Creek Township line in the Borough of Muncy Lycoming County a distance of about 0.5 of a mile

Mercer County

Mercer Borough

Route 43107 Extending Route 43107 Beginning at a point on the south line of Mercer Borough thence northerly to a point on Route 43017 in the Borough of Mercer Mercer County a distance of about 0.1 of a mile

Monroe County

Stroudsburg Borough

Route 45065 Extending Route 45065 Beginning at a point on the Stroud Township line at Third Street thence over Third Street to Route 166 at Third and Main Streets in the Borough of Stroudsburg a distance of about 0.5 of a mile

East Stroudsburg Borough

Route 45084 Extending Route 45084 Beginning at a point on the Stroud Township line at King Street thence southerly on King Street to Route 167 at King and Courtland Streets in the Borough of East Strodusburg a distance of about .9 of a mile

Route 166 Spur Beginning at a point on Route 166 at Smith and Brown Streets thence northerly over Smith Street and westerly over Analomink Street to a point on Route 167 at Analomink and Courtland Streets in the Borough of East Stroudsburg a distance of about one (1) mile

Northampton County

Wind Gap Borough

Route 165 Spur Beginning at a point on Route 165 at Alpha Road and Lehigh Avenue thence over Alpha Road to Route 165 at Alpha Road and Broadway in the Borough of Wind Gap a distance of about 0.43 of a mile

Northumberland County

Riverside Borough

Route 49117 Extending Route 49117 Beginning at a point on the Riverside Borough-Gearhart Township at D and H Avenue thence westerly to First Street thence over First Street to the Cherokee Ordnance Works in Riverside Borough Northumberland County a distance of about 0.5 of a mile

Somerset County

Stoyestown Borough

Route 55156 Extending Route 55156 Beginning at the Quemahoning Township line thence southeasterly easterly and southeasetrly over a street to Routes 52 849 and 55077 at Somerset Street in Stoyestown Borough Somerset County a distance of about 0.41 of a mile

Addison Borough

Route 55157 Extending Route 55157 Beginning on the Addison Township line thence southeasterly over a street to Route 50 about 0.18 of a mile northwest of Route 55001 in Addison Borough Somerset County a distance of about 1.9 mile

Meyersdale Borough

Route 51 Spur Beginning at a point on Application 281 at Cherry Street and Meyers Avenue thence over Meyers Avenue and Market Square to Route 51 in the Borough of Meyersdale Somerset County a distance of about 0.2 of a mile

Sullivan County

Forksville Borough

Route 56007 Spur Beginning at a point on Route 56007 thence southerly on Main Street to Bridge Street thence easterly on Bridge Street to a point on Route 291 in the Borough of Forksville a distance of about .5 of a mile

Section 3 This act shall become effective on the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 957, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

Route 04043 Beginning at [the head of Poorhouse Run near the Johnson Farm and extending] a point on Route 115 thence in a southerly direction along Poorhouse Run to a point on Route 76 about .25 of a mile south of Schaffers School house thence in a southerly direction across Racoon Creek to a point on the county Aliquippa-Green Garden Road near Merrimans Bridge thence in a general southerly direction along Racoon Creek to an intersection with Route 04070 near Independence in Beaver County a distance of about [4.0] 6 miles

Route 04051 Beginning at a point on Route 640 near the John Young farm thence northerly in Chippewa Township [to a point on Route 204 near the Lincoln Gardens and continuing northerly through Chippewa Township to a point on the Chippewa-Big Beaver Township line about .25 of a mile north of McKinley Schoolhouse] and Big Beaver Township to a point on Route 04044 in Beaver County a distance of about [2.0] 2.5 miles

Route 04068 Beginning at a point on Route [483 near the Shippingport Borough line and extending in an easterly direction across Route 115 to a point near Holt] 115 about one-half mile south of the Potter Township line thence in an easterly direction across Racoon Creek [to a point near the Engel farm thence] to an intersection with Route 04043 about .25 of a mile west of Route 76 in Beaver County a distance of about [4.5] 3.5 miles

Route 04076 Beginning at a point on [the Eastvale Borough line near] the North Sewickley-Daugherty Township line [and extending in an easterly direction across] on Route 482 thence easterly to an intersection with Route 04062 near the Marion-New Sewickley Township line in Beaver County a distance of about [3.5] 3 miles

[Route 04083 Beginning at a point on Route 04068 near Holt in Racoon Township and extending northerly to an intersection with Route 04064 about 1.0 mile east of the Racoon-Potter Township line in Potter Township in Beaver County a distance of about 1.63 miles]

[Route 04094 Beginning at a point on Route 538 about 1.0 mile northeast of its intersection with Route 04048 thence in a northeasterly direction through Greene Township to a point on Route 04040 about 1.0 mile southwest of its intersection with Route 483 in Beaver County a distance of about 1.2 miles]

[Route 04098 Beginning at a point on Route 04070 about 1.3 miles northwest of the Racoon-Independence Township line thence in a general southeasterly direction through Racoon and Independence Townships to a point on Route 04075 about 1.0 mile southeast of its intersection with Route 04070 in Beaver County a distance of about 1.8 miles]

[Route 04106 Beginning at a point on State-aid Application 892 approximately 0.25 of a mile west of the intersection of State-aid Application 892 and Route 04092 thence northerly through Brighton Township to a point on Route 04004 near the Brighton Township-Patterson Township line beginning again on Route 04004 in Patterson Township near the Patterson Township-Brighton Township line at a point approximately 0.2 of a mile northerly from the intersection of the proposed Route 04106 and Route 04004 thence extending in a northerly and easterly direction to a point on Route 204 at the intersection of Route 204 and Fifth Street in Beaver County a distance of about 2.3 miles]

[Route 04112 Beginning at a point on Route 115 Spur near Murdocksville thence northerly through Hanover and Independence Township to a point on Route 538 near its intersection with Route 04054 in Beaver County a distance of about 2.7 miles]

[Route 04115 Beginning at a point on Route 04026 about 0.7 of a mile northwest of Barrisville thence northerly through North Sewickley Township to a point on Route 04078 about 0.5 of a mile south of Route 04087 in Beaver County a distance of about 1.3 miles]

Route 08009 Beginning at a point on the eastern boundary of the borough of New Albany thence northeasterly through Albany Township to the village of Evergreen thence easterly through Albany and Terry Township [to] via the village of New Era thence [northeasterly] easterly and northerly through Terry Township to the intersection with [State Highway] Route [13 at Terrytown] 08021 at Rienze in Bradford County a distance of about [11.0] 7.5 miles

[Route 08037 Beginning at a point on the Bradford Tioga County line about 6.0 miles east of Fall Brook thence easterly through Armenia Township to the inter-

section with Route 08036 about 4.0 miles north of the Canton Borough line in Bradford County a distance of about 1.0 miles]

[Route 08038 Beginning at a point on Route 08036 about 4.25 miles northwest of the Canton Borough line thence northeasterly through Armenia Township about 1.25 miles thence southeasterly through Armenia Troy and Canton Townships to the northwest corner of Alba Borough in Bradford County a distance of about 2.5 miles]

Route 08056 Beginning at [a point on State Highway Route 212 in West Burlington Township about 0.5 of a mile west of the County Home] the eastern terminus of Route 08057 thence northwesterly through West Burlington and Springfield Township to Wetona thence northerly through Springfield Townships to the intersection of Route 08054 at Harkness thence northwesterly through Springfield Township to the intersection with Route 08064 about 0.4 of a mile northeast of its intersection with Route 08054 in Bradford County a distance of about [9.4] 6.2 miles

Route 08073 Beginning at a point on Route 08054 at East Smithfield thence southeasterly through Smithfield Township to Riggs thence easterly through Smithfield and Ulster Townships to the intersection with State Highway Route 287 at Ulster thence easterly to the Ulster-Sheshequin Bridge in Bradford County a distance of about [8.2] 8.3 miles

Route 08079 Beginning at [a point on Route 08077 opposite] the eastern end of the bridge across the Susquehanna River at Ulster thence northeasterly through Sheshequin Township to Ghent thence northeasterly through Sheshequin and Rome Townships to the intersection with Route 08078 at North Rome thence southeasterly through Rome Township to [the end of State-aid Application 5756 thence over State-aid Application 5756 in Rome Township to] the Rome Borough line [at the end of State-aid Application 5755] in Bradford County a distance of about [8.1] 8.15 miles

Route 08090 Beginning at a point on State Highway Route 15 about 3.0 miles south of North Orwell thence easterly through Orwell Township to Orwell thence easterly through Orwell Township to the intersection with Route 08089 at Potterville thence northeasterly through Orwell and Warren Townships to a point on Route 08143 about 2 miles south of Route 699 in Bradford County a distance of about [4.7] 7.6 miles

Route 08174 Beginning at a point on Route 08032 about 1.0 mile north of the Wyoming County line thence in a northeasterly and easterly direction through Tuscorora Township to a road intersection near Fargo Creek thence northerly to a point on Route 08031 about 0.8 of a mile west of Silvara in Bradford County a distance of about [2.7] 3.4 miles

Route 12001 Beginning at a point on Route [411 near Driftwood] 105 near Route 597 thence in a southeasterly direction in Grove Township about 0.7 of a mile to a Forest Road and from a point on the Forest Road near the head of Wykoff Run thence in a [southwesterly] southeasterly course in Gibson Township in the direction of Karthaus to the Cameron-Clearfield County line in Cameron County a distance of about [9.75] 2.7 miles

[Route 12002 Beginning at Route 105 at a point about 0.25 of a mile east of Firstfork Bridge thence northerly and northwesterly in Grove Township to township road running along east side of the Firstfork of Sinnemahoning Creek in Cameron County a distance of about 0.25 of a mile]

Route 14050 Beginning at a point on Route [56 about 0.3 of a mile north of] 14019 in Lemont thence in a northeasterly and northwesterly direction through College Township to a point on Route 14039 about 0.5 of a mile southeast of Houserville in Centre County a distance of about [0.8 of a mile] 1.5 miles

Route 15010 Beginning at a point on [the Pennsylvania-Maryland State Line and near Barrett's property in Elk Township and about 3.3 miles west of Lewisville thence northwesterly through Elk and East Nottingham Townships] Route 15162 [via] near the Media School thence to a point on the southern boundary line of Oxford Borough in Chester County a distance of [4.8] 2.66 miles

Route 15026 [Beginning at a point on Route 131 near Station 1745 in Lower Oxford Township thence northwesterly through Lower Oxford Township to a point on Route 274 near Station 2356 in Hayesville in Chester County a distance of about 1.5 miles]

Route 15033 Beginning at a point of intersection of the Penn-Londonderry Township line with the northern terminus of State-aid application 150 [near station 0+00] thence northerly through Londonderry Township to a point [of road intersection northeast of Daleville] on Route 15053 about 0.1 of a mile south of Doe Run Friends Meeting House in Chester County a distance of about [1.4] 2.7 miles

Route 15036 Beginning at a point of road intersection about 1.5 miles northeast of Landenburg in New Garden Township thence northerly through New Garden and West Marlboro Townships via New Garden crossing Route 215 and Route 131 at Toughkenamon thence via London Grove [and] to Upland thence from a point on Route 15056 about 1.5 miles west of Upland northerly to a point on Route 360 [near Station 375] at Doe Run in Chester County a distance of about [8.7] 9.3 miles

Route 15053 Beginning at a point of road intersection [about .8 of a mile east of Faggs Manor in Londonderry Township thence northeasterly through Londonderry Township crossing Route 215 to a point of road intersection] about .1 of a mile south of Doe Run Friends Meeting House thence northwesterly through Londonderry Township about .3 of a mile to a point of road interesction thence northeasterly and northwesterly through Londonderry and Highlands Townships to a point on Route 541 [near Station 245] about 1.75 miles northeast of Cochranville in Chester County a distance of about [4.4] 1.91 miles

Route 15058 Beginning at a point [of road intersection in] on the Lancaster County line at Steelville in West Fallowfield Township thence easterly and southeasterly through West Fallowfield Township to a point on Route 215 [near Station 1163 and] about .6 of a mile northwest of Cochranville in Chester County a distance of about [4.2] 4.14 miles

[Route 15069 Beginning at a point on Route 360 near Station 325 in West Marlboro Township thence easterly through West Marlboro and Newlin Township to a point of road intersection about .25 of a mile northeast of the intersection of the West Marlboro East Marlboro and Newlin Township lines in Chester County a distance of about 1.9 miles]

Route 15128 Beginning at a point of road intersection [about .25 of a mile west of Route 147 and about 1.5 mile south of] at Cedarville in North Coventry Township thence northerly through North Coventry Township [via Cedarville] to a point on Route 147 [near Station 1250] in Chester County a distance of about [1.5 miles] 0.27 of a mile

[Route 15140 Beginning at a point on Route 143 near Station 634 in Tredyffrin Township at about .5 of a mile due west of the New Centerville Station thence northwesterly through Tredyffrin Township to a point of road intersection about .2 of a mile southwest of a bridge over Valley Creek near the Chester-Montgomery County line in Chester County a distance of about 1.5 miles]

[Route 15150 Beginning at a point on Route 328 near Station 680 at Glenmore in Wallace Township thence northwesterly through Wallace Township to a point of road intersection about .2 of a mile east of Glenmore in Chester County a distance of about .2 of a mile]

Route 15162 Beginning at a point on Route [15010 about 0.6 of a mile northwest of the East Nottingham-Elk Township line] 360 at Chrome thence in a northeasterly southeasterly and northeasterly direction through East Nottingham and Elk Townships to a point on Route 605 near the intersection of Route 605 and 15014 at Hickory Hill in Chester County a distance of about [2.1] 4.1 miles

Route 15172 Beginning at a point on Route [15073 about 0.3 of a mile northeast of an intersection with Route] 215 about one half mile west of Route 15073 thence in a general northerly direction through Londonderry and Highland Townships to a point on Route 15053 about 0.25 of a mile southeast of an intersection with Route 541 in Chester County a distance of about [1.4] 1.7 miles

[Route 15173 Beginning at a point on Route 15032 about 0.1 of a mile west of the West Marlboro-London Grove Londonderry Township line thence in a general northeasterly direction through Londonderry and West Marlboro Township to a point on Route 15045 at or near the intersection of Routes 15045 and 15056 in Chester County a distance of about 1.3 miles]

[Route 15177 Beginning at a point on Route 15060 about 0.7 of a mile north of the intersection of Routes 15060 and 15058 thence in a general southwesterly direction through West Fallowfield Township to a point on Route 15058 at or near its western terminus thence continuing to the Octoraro Creek at Steelville in Chester County a distance of about 1.7 miles]

[Route 15182 Beginning at a point on State-aid Application 4691 about 0.05 of a mile southwest of an intersection with Route 133 and extending in an easterly southerly and northeasterly direction through East Goshen Township to a point on Route 133 at or near the East Goshen-Westtown Township line in Chester County a distance of about 0.9 of a mile]

Route 15184 Beginning at a point [on Route 15037 at Kirkland Station and extending in a northerly direction through West Whiteland Township to a point] on Route 15095 near its intersection with Route 15230 thence [again from a point on Route 15095] in a general northwesterly direction through West Whiteland Township to a point on Route 142 about 0.65 of a mile north of Ship Road Station of the Pennsylvania Railroad thence continuing in a northwesterly direction through West Whiteland and Uwchlan Townships to a point on Route 1?7 about 0.5 of a mile north of the Uwchlan-West Whiteland Township line in Chester County a distance of about [4.6] 3.29 miles

[Route 15193 Beginning at a point on Route 270 about 0.7 of a mile north of the East Pikeland-West Vincent Township line thence in a northwesterly direction through West Vincent Township to a point on Route 15079 about 1.15 miles southwest of an intersection with Route 15071 in Chester County a distance of about 0.9 of a mile]

[Route 15202 Beginning at a point on Route 15155 about 0.2 of a mile east of the London Britain-New Garden Township line thence northeasterly through New Garden Township to a point on Route 15201 about 0.3 of a mile south of Route 15017 in Chester County a distance of about 0.7 of a mile]

[Route 15205 Beginning at a point on Route 372 near Elverson Borough thence northerly through West Nantmeal Township to a point on the Berks County line near Route 328 in Chester County a distance of about 0.7 of a mile]

[Route 15206 Beginning at a point on the Lancaster-Chester County line near the West Fallowfield-West Sadsbury Township line thence northeasterly through West Sadsbury Township to a point on the west line of Atglen Borough in Chester County a distance of about 0.4 of a mile]

[Route 15212 Beginning at a point on Route 142 about 0.5 of a mile west of Thorndale thence northerly through Caln Township to a point on Route 1511? about 0.8 of a mile southwest of its intersection with State-aid Application 1431 beginning again on Route 15119 about 0.1 of a mile southwest of the point of last intersection and continuing in a northerly direction through Caln and East Brandywine Townships to a point on Route 15124 and Application 4117 in Chester County a distance of about 2.1 miles]

[Route 15217 Beginning at a point on Route 15093 near Route 15092 thence easterly through East Bradford Township to a point on Route 15183 about 0.2 of a mile west of the West Goshen-East Bradford Township line in Chester County a distance of about 1.0 mile]

Route 16096 Beginning at a point on Route 16014 near Shannondale thence southwesterly through Redbank Township 0.5 of a mile to a road intersection thence northwesterly [1.9 miles to a road intersection] to a point on Route 16012 in Clarion County a distance of about [2.4] 3 miles

[Route 17032 Beginning at a point on Route 234 about .45 of a mile north of the Cambria-Clearfield County line thence southeast through Beccaria Township to a point on the Clearfield-Cambria County line in Clearfield County a distance of about 1 mile]

Route 17080 Beginning at a [point on Route 869 at Clearfield Bridge] road intersection south of Clover Hill School thence in a general northerly [and northwesterly] direction through Lawrence Township by way of Clover Hill School to a point near Clearfield Borough on Route 17038 in Clearfield County a distance of about [3.6] 1.56 miles

[Route 17084 Beginning at a point on Route 862 near the Pine Township line thence in a southerly and easterly direction through Lawrence Township by way of Mount Zion School to the Lawrence Township-Clearfield Borough line at Martin Street in Clearfield County a distance of about 3.8 miles]

Route 17100 Beginning at a point on Route 59 about 1.4 miles north of the Penn-Bloom Township line thence extending in a southwesterly and northwesterly direction by way of Goffe School through Bloom Township to a [point on Route 861] road intersection about [0.2] 0.5 of a mile [southeast] south of [its intersection with] Route 59 in Clearfield County a distance of about [2.45] 1.30 miles

[Route 17105 Beginning at a point on Route 17066 about 0.9 of a mile east of its intersection with Route 219 thence in a northerly and easterly direction through Cooper Township in the village of Grassflat to a road intersection east of the New York Central Railroad tracks in Clearfield County a distance of about 0.8 of a mile]

Route 18001 Beginning at a point on the Garthaus-Keating road about [8.9 miles northeast of the Clearfield-Clinton County line] road intersection south of the New York Central Railroad thence [northeast through West Keating and East Keating Townships to interest Route 105 near] northwesterly in East Keating Township via Keating to a point on Route 105 in Clinton County a distance of about [5.45 miles] 0.68 of a mile

[Route 18005 Beginning at a point on Route 105 near Hyner thence southeast through Chapman and Grugan Townships to a point near Ritchie in Clinton County a distance of about 3.25 miles]

[Route 18025 Beginning at a point where Route 17068 intersects the Clearfield-Clinton County line thence northeasterly in West Geating Township to Birch Island Run in Clinton County a distance of about 3.5 miles]

Route 18028 Beginning at a point on Route 359 near Carroll thence in a general southwesterly direction through Greene Township [to] via the village of Eastville to a point on Route 18017 in Clinton County a distance of about [1.25] 4.45 miles

[Route 18036 Beginning at a point on Route 359 about 0.3 of a mile north of the Centre-Clinton County line thence in a westerly direction through Beech Creek Township Clinton County a distance of about 1.0 mile]

Route 21013 Beginning at a point in South Middleton Township intersecting Route 21011 about .5 of a mile south of Route 305 thence in a southeasterly direction through South Middleton Monroe and Upper Allen Townships intersecting Routes 507 and 123 to a point in Upper Allen Township intersecting Route 416 at Bowmansdale [thence from a point intersecting Route 416 at the Reading Railroad underpass northerly through Upper Allen Township to a point intersecting Route 123 at Winding Hill] in Cumberland County a distance of about [10.65] 8.3 miles

[Route 21081 Beginning at a point on Route 21004 about 0.7 of a mile south of Route 21001 thence northeasterly

through Lower Frankford Township to a point on Route 21001 about 1.0 mile east of Route 21004 in Cumberland County a distance of about 1.2 miles]

[Route 21090 Beginning at a point on Route 21055 about 1.0 miles southeast of Route 21001 thence northeasterly through Upper Frankford Township to a point on Route 21001 about 0.5 of a mile southwest of Bloserville in Cumberland County a distance of about 1.1 miles]

Route 22009 Beginning at a point in Londonderry Township on the boundary line between Dauphin and Lancaster Counties about one and one-half miles west of the Londonderry-Conewago Township line thence northeasterly through Londenderry and Conewago Townships to a point on Route 624 about one-quarter mile west of Deodate thence from a point in Conewago Township intersecting Route 22007 about [one-half] one mile north of Deodate northeastwardly via Bachmanville to a point on the boundary line of Dauphin and Lebanon County about three-quarters of a mile south of the Conewago-Derry Township line in Dauphin County a distance of about [7.39] 6.69 miles

Route 22015 Beginning at a point [in Londonderry Township on Route 407 about two miles south of Royalton Borough thence northeasterly through Londonderry Township to a point on Route 129 at a point in Londonderry Township] on Route 624 about one mile east of the Londonderry-Lower Swatara Township line thence northerly through Londonderry and Derry Township by way of Waltonville to a point on the southern boundary line of Hummelstown Borough at a point on northern boundary line of Hummelstown Borough northerly through South Hanover and West Hanover Township to a point in West Hanover Township on Route 140 about one and one-half miles of the West Hanover-Lower Paxton Township line in Dauphin County a distance of about [13.47] 10.9 miles

Route 22026 Beginning at a point in Middle Paxton Township intersecting Route 1 about one-half mile northwest of Speecville thence easterly through Middle Paxton Township to a point intersecting Route 22004 about two miles north of Dauphin Borough thence from a point intersecting Route 22004 about one mile north of Dauphin Borough easterly through Middle Paxton and Rush Townships [to a point opposite the water company's dam on Clarks Creek] to Route 22041 in Dauphin County a distance of about [13.18] 24.43 miles

Route 22027 Beginning at a point in Reed Township on Route 1 about one-third mile north of Inglenook and leading eastward over Powell's Creek through Halifax Township to Route 22004 in Dauphin County a distance of about [0.75] 2.34 miles

Route 22031 Beginning at a point in Wiconisco Township intersecting Route 199 about [one-half] one mile west of Lykens Borough thence easterly through Wiconisco Township [to a point again intersecting Route 199 about one half mile north of Lykens Borough] and Williams Township to a point on the western Williamstown Borough line at Market Street again beginning on the eastern Borough line of Williamstown Borough at Market Street thence easterly through Williams Township to the Schuylkill County line in Dauphin County a distance of about [2.21] 7.5 miles

Route 22032 Beginning at a point in Williams Township [intersecting Route 199 about one-quarter mile east of the Williams-Wiconisco Township Line thence easterly through Williams Township to the western boundary line] on the south line of Williamstown Borough at Railroad Street thence southerly to Route 199 in Dauphin County a distance of about [2.15 miles] 0.2 of a mile

Route 22053 Beginning at a point on Application 692 near Grubers School thence in a westerly direction through East Hanover [and West Hanover Township] Township to a point on Route 140 about [0.5] 0.3 of a mile east of [Sandy Hill Church] the West Hanover Township line in Dauphin County a distance of about [6.1] 2.5 miles

[Route 22059 Beginning at a point on Route 199 at or near the intersection of Routes 199 and 22035 at Lovalton thence in a general southerly direction through Washington Township to Oakdale Station in Dauphin County a distance of about 1.2 miles]

Route 22073 Beginning at a point on Route [22029] 22028 about [0.75] 0.50 of a mile [southeast] south of [the village of Fisherville] Application 6600 thence in a generally easterly direction through Jackson Township via Millers School to a point to Route 22030 in Dauphin County a distance of about [4.4] 2.69 miles

Route 23087 Beginning at a point [of intersection at Creek and Convent Roads at Laschelles Drug Store in the village of Rockdale in Aston Township thence northerly over county bridge through Aston and Middletown Townships to a point] on [road] Route 23020 at Browns Mills thence westerly through Middletown Township to a point on the Lenni Heights Road in the village of Lenni in Middletown Township in Delaware County a distance of about [.35 of a mile] .22 of a mile

[Route 23092 Beginning at a point at the intersection of Michigan Avenue with the southeasterly boundary line of Swarthmore Borough and extending in an easterly direction through Ridley Township to a point on Route 731 near Rutledge Borough in Delaware County a distance of about .33 of a mile]

[Route 23096 Beginning at a point on the northwest boundary line of Marcus Hook Borough thence in a northwesterly direction through Upper and Lower Chichester Townships on Hewes Street crossing Application 2436 to a point of intersection with Application 1136 thence continuing in a northeasterly direction on Johnson's Avenue to a point on Route 418 in Delaware County a distance of about 1.03 miles]

[Route 23097 Beginning at a point of intersection of Route 418 and the boundary line between Upper and Lower Chichester Townships thence in a southwesterly direction through Upper and Lower Chichester Townships on Laughead Avenue to its intersection with Applications 1136 and 1416 in Delaware County a distance of about 0.25 of a mile]

[Route 23100 Beginning at a point on Route 23064 at the northeastern line of East Lansdowne Borough thence in a northeasterly direction through Upper Darby Township to an intersection with Route 23062 in Delaware County a distance of about 1.0 mile]

[Route 23102 Beginning at a point at the intersection of Haverford Road and Routes 729 and 731 and extending in a southwesterly direction on Haverford Road through Ridley Township to a point of intersection with the northwest boundary line of Ridley Park Borough near Hancock Street thence beginning again at a point at the intersection of Haverford Road with the southwestern boundary line of Ridley Park Borough near Chester Avenue and extending southwesterly on Haverford Road through Ridley Township and along the boundary line between Ridley Township and Ridley Park Borough to a point of intersection with Route 23071 in Ridley Township Delaware County a distance of about 1.0 miles]

[Route 23105 Beginning at the point of intersection of Mills Road and Route 131 Spur "B" thence in a northeasterly direction through Thornbury and Concord Townships on Mills road to its intersection with Route 728 in Delaware County a distance of about 1.4 miles]

Route 23114 Beginning at a point on Route 729 where it intersects [Amosland Road thence over Amosland Road] Holmes Road thence over Holmes Road through Ridley Township to the line dividing the boroughs of Prospect Park and Norwood in Delaware County a distance of about 0.15 of a mile

[Route 23117 Beginning at a point on Route 577 where it intersects Ithan Avenue thence easterly on Ithan Avenue in Radnor Township to a point on Route 142 in Delaware County a distance of about 0.9 of a mile]

Route 24002 Beginning at a bridge across the Clarion River near Millstone thence Northeast and East through Millstone Spring Creek and Ridgway Townships by Hallton to a point [four] 6.32 miles west of the present improvement west of Ridgway Borough beginning again at

the end of the improvement west of Ridgway Borough thence in an easterly direction to Ridgway Borough in Elk County a distance of about [17.72] 15.4 miles

Route 24017 [Beginning at a point on Route 24012 at or near Mt Zion Church thence in a general southeasterly direction through Jay Township to a point on Route 411 at or near Calendonia in Elk County a distance of about 2.2 miles] Beginning at a point in Route 24013 about 2.5 miles north of St Marys Borough and extending in a westerly direction in Benzinger Township to a point on Route 556 about 3.5 miles northwest of St Marys Borough in Elk County a distance of about 1.8 miles

Route 24019 Beginning at a point on the southeastern borough line of St Marys Borough about 0.6 of a mile northeast of the point where said borough line intersects Route 99 Spur thence southeasterly and easterly through Benzinger Township Elk County for a distance of about [1.2] 2.75 miles

[Route 25094 Beginning at a point on the Girard Borough-Girard Township Line thence in a northwesterly direction through Girard Township to an intersection with Route 496 at a point approximately 1.25 miles east of Weis Corners in Erie County a distance of about 1.2 miles]

[Route 25111 Beginning at a point on Route 88 at Hammett thence northerly through Greene and Harbor Creek Townships to a point on Route 25067 in Erie County a distance of about 3.9 miles]

[Route 26002 Beginning at the improved township road near Sarah and extending in a general southwesterly direction to the Monongahela River at East Rices Landing in Fayette County a distance of about 2.4 miles]

Route 26021 Beginning at a point on Route 26030 near Keister and extending [in a southeasterly direction by way of Ross School and Jennings Run] easterly to Route [113 about .25 of a mile west of the Fayette County Home] 26032 in Menallen Township Fayette County a distance of about [4.84] 0.74 miles

Route 26030 Beginning at [Route 288 .2 of a mile south of Waltersburg and extending in a southwesterly direction by way of Keister school to] a point on State aid Application 741 near Searight [on Route 113] thence northeasterly in Menallen Township to Route 26161 at Keisterville in Fayette County a distance of about [2.4] 1.02 miles

[Route 26078 Beginning at a point on Route 26077 about .8 of a mile north of Old Frame thence in a westerly and northwesterly direction to an intersection with Route 26079 about one mile south of Masontown Borough line in Fayette County a distance of about 2.5 miles]

[Route 26094 Beginning at Route 429 about one mile west of Old Frame thence in a southerly and westerly direction to an intersection with Route 26081 about one mile south of new Geneva in Fayette County a distance of about 2 miles]

Route 26095 Beginning at [a point along the Monongahela River about one mile south of East Fredericktown extending in a general] Route 26001 west of Ormond thence easterly [direction] by way of Sarah and Hoisterburg to an intersection with [county road near Rush Run] Route 26072 in Luzerne Township in Fayette County a distance of about [3.4] 3.32 miles

Route 26100 Beginning at the intersection of Route 26102 and Route 26034 at Bute thence extending in a general northeasterly direction by way of Bute School [to a point of intersection with the western terminus of county road said point being about 1 mile west of Monarch] and Graham's Crossing through North Union and Dunbar Townships to a point on Route 26093 near Opossum Creek in Fayette County a distance of about [2.44] 5.3 miles

[Route 26114 Beginning at a point on Route 116 near Chadville thence in a general westerly direction through Georges Township to a point on Route 26035 about 0.5 of a mile north of Grove Church in Fayette County a distance of about 1.8 miles]

[Route 26134 Beginning at a road intersection about 0.6 of a mile southeast of Haydentown thence extending in a general northwesterly direction through George Township to the intersection of Route 116 and 26010 in Fayette County a distance of about 3.9 miles]

[Route 26146 Beginning at a point on Route 26047 at its intersection with Route 26119 thence in a southeasterly direction through Dunbar Township in Fayette County for a distance of about 0.2 of a mile]

Route 27003 Beginning at a point [approximately 2.8 miles downstream from the junction of Maple Creek and the Clarion River and running in a south and northeasterly direction in Barnett Township along the Clarion River to a point of intersection with proposed] on Route 27011 near Maple Creek thence in a general westerly direction in Barnett Township to a Forestry Road in Forest County a distance of about [2.8] 2.87 miles

Route 27021 Beginning at a point on Route 27013 near Brookston thence southwesterly through Howe Township to [a road] an intersection with Route 27015 about 1.6 miles south of Blue Jay in Forest County a distance of about [4.1] 5.7 miles

Route 28005 Beginning at a point in St Thomas Township intersecting Route 400 about .75 of a mile west of the Saint Thomas-Hamilton Township line thence northerly through Saint Thomas Township to a point intersecting Route 37 at Saint Thomas thence from a point again intersecting Route 37 .5 of a mile east of Saint Thomas northerly through Saint Thomas and Hamilton [and Letterkenny] Townships to [a point in Letterkenny Township intersecting] Route [28007 .5 of a mile] 28039 north of [Letterkenny-Hamilton Township line] Dennis Creek in Franklin County a distance of about [13.27] 12 miles

Route 28006 Beginning at a point in Saint Thomas Township intersecting Route 37 about one mile east of the Saint Thomas-Peters Township line thence northeasterly through Saint Thomas Township to a point intersecting Route 28005 at Edenville thence from a point intersecting Route 28005 about two miles east of Edenville through Hamilton and Saint Thomas Townships to a point [intersecting Route 28007 about one mile northwest of Jackson Hall] on the north line of Chambersburg Borough at Commerce Street in Franklin County a distance of about [9.67] 11.08 miles

Route 28007 Beginning at a point [in Hamilton Township on the northern boundary line of Chambersburg near the Heinz Plant thence northwesterly to a point intersecting Route 340 about one mile southwest of Jackson Hall thence from a point intersecting] on Route 340 Spur at Upper Strasburg [about .75 of a mile southwest of Jackson Hall northwesterly] thence northeasterly through [Hamilton and] Letterkenny [Townships via Maple Grove and Upper Strasburg] Township to a point intersecting Route 264 about .5 of a mile southwest of Roxbury in Franklin County a distance of about [15.95] 4.0 miles

[Route 28008 Beginning at a point in Hamilton Township intersecting Route 28007 about one-half mile northwest of Jackson Hall thence through Hamilton Greene and Letterkenny Townships to a point intersecting Route 28007 about one and one-half miles southwest of Upper Strasburg in Franklin County a distance of about 6.75 miles]

Route 28016 Beginning at a point in Greene Township intersecting Route 35 and 340 in the village of Green Village thence northwesterly through Green [and Letterkenny Townships] Township via Culbertson [intersecting Routes 264 and 340] to a point intersecting Route [28008 about three miles south of Upper Strasburg] 26 in Franklin County a distance of about [6.92] 1.17 miles

Route 28017 Beginning at a point in Greene Township intersecting Route 35 about one-half mile northeast of Chambersburg Borough thence northerly through Greene Township to a point intersecting Route 340 at Beautiful thence from a point in Greene Township intersecting Route 340 about one-half mile north of Beautiful in a westerly direction through Greene and Leterkenny in a westerly direction through Greene and Letterkenny Route 28008 about one mile northwest of] in Rocky

Spring in Franklin County a distance of about [5.21] 4.3 miles

Route 28032 Beginning at a point in Antrim Township intersecting Route 28033 about two miles northwest of Browns Mills thence southeasterly via Browns Mills and Clay Hill to a point intersecting Route 28003 about one mile west of Greendale thence northeasterly and southeasterly north of Greendale crossing the Western Maryland Railroad in Quincy Township to Five Forks in Franklin County a distance of about [5.63] 8.2 miles

[Route 28044 Beginning at a point on Route 28004 immediately east of crossing of Marsh Run being the dividing line between Washington and Antrim Townships thence in a southeasterly direction through Washington Township to a point on the Pennsylvania-Maryland State line in Franklin County a distance of about 0.7 of a mile]

[Route 28048 Beginning at a point on Route 28004 about 0.8 of a mile southeast of Cranebake School and extending in a northeasterly direction through Antrim Township to a point on Route 224 about 0.7 of a mile west of the intersection of Routes 224 and 28003 at or near Shady Grove in Franklin County a distance of about 2.0 miles]

[Route 28057 Beginning at a point on Route 28016 about 1.3 miles northeast of the intersection of Routes 28016 and 340 thence in a northwesterly and northerly direction through Letterkenny Township to a point on Route 340 Spur about 1.25 miles east of Route 28007 in Franklin County a distance of about 4.75 miles]

Route 28066 Beginning at a point on Route 28004 about 1.5 miles southeast of Route 28033 thence northerly through Antrim Township to a point on Route 28033 about 1.0 mile northeast of Route 28004 thence northwesterly through Antrim and St Thomas Townships crossing the Pennsylvania Railroad to a point on Route 400 about 0.25 miles east of Route 28005 in Franklin County a distance of about [1.8] 3.8 miles

[Route 28072 Beginning at a point on Application 228 about 1.2 miles northeast of Chambersburg Borough thence in a northerly direction through Greene Township to a point on Route 35 near Clark School in Franklin County a distance of about 1.6 miles]

[Route 28073 Beginning at a point on Route 28008 about 0.3 of a mile northeast of the Hamilton-Letterkenny Township line thence in a northeasterly direction through Letterkenny and Greene Township to a point on Route 340 near its intersection with Route 28017 in Franklin County a distance of about 1.6 miles]

[Route 28074 Beginning at a point on Application 263 east of Orrstown Borough thence in a northerly direction through Southampton and Lurgan Townships to a point on Route 28009 near Mongul in Franklin County a distance of about 1.65 miles]

[Route 28075 Beginning at a point on Route 264-B about 1.0 miles southeast of Route 340 thence northeasterly through Lurgan Township to a point on Route 28009 near Donavin School in Franklin County a distance of about 1.2 miles]

Route 30015 Beginning at the West Virginia State Line on] near Rudolph Run thence northerly along Rudolph Run through Perry and Whiteley Townships [to] via Jump [thence southwest through Wayne Township to the county improved road 1.25 miles north of Spraggs at the Spragg residence] to a point on Route 30014 at the Whiteley-Franklin Township line in Greene County a distance of about [8] 7.25 miles

Route 30038 Beginning [near Stickles Farm near] at a point on Route 30040 about 0.5 of a mile northwest of Time thence northeasterly [via John T Clutter farm] and southeasterly in Morris Township to a point on Route 109 near [the Washington-Greene County line] Beulah Church in Greene County a distance of about 2.5] 3.2 miles

Route 30064 Beginning at a point on Route 451 about 3 of a mile south of Carmichaels Borough in Cumberland Township thence [easterly] southeasterly through Cumberland Township to [the top of Jew Hill at the property of the Buckeye Coal Company] the Nemacolin Ferry in Greene County a distance of about [2.25] 3.75 miles

Route 30085 Beginning at the intersection of Route 30020 and 30021 thence northerly through Dunkard [and Greene Township] Township to a [point on Route 616] road intersection in Greene County a distance of about [2.7 miles] 0.45 of a mile

Route 30087 Beginning at a point on Route [30001] 30065 about [0.5 of a] one mile north of the [Weimer] Centennial School thence in a general [northeasterly] northerly direction through Aleppo Jackson and Richhill Townships to an intersection with Route 30039 near Bristonia in Greene County a distance of about [4.0] 4.4 miles

[Route 30094 Beginning at a point on Route 109 about 1.5 miles southeast of Ninevah thence northeasterly in Morris Township a distance of about 1.6 miles to a road intersection thence easterly to a point on Route 30011 about 1.5 miles southeast of Deerlick in Greene County a distance of about 2.7 miles]

Route 30098 Beginning at a point on Route 30016 near Willow Tree thence in a general northerly direction through Greene [and Monongahela Township] Township to a road intersection [about 0.4 of a mile northeast of] near the Greene-Monongahela Township line thence southeasterly and easterly to a point on Route 451 [near] south of Sigsbee in Greene County a distance of about [2.9] 2.6 miles

[Route 30100 Beginning at a point on Route 30033 about 0.5 of a mile west of Route 30095 thence northwesterly through Washington Township to a point on Route 30024 about 2.0 miles west of Route 30019 in Greene County a distance of about 1.6 miles]

[Route 30106 Beginning at a point on Route 110 about 0.2 of a mile southeast of Mount Morris Borough thence easterly and northerly through Perry Township to a point on Route 30107 about 0.2 of a mile southeast of Route 30099 in Greene County a distance of about 0.41 of a mile]

[Route 30109 Beginning at a point on Route 110 about 1.5 miles southeast of Route 30091 thence southeasterly and northeasterly through Whiteley Township to a point on Route 30026 about 200 miles northwest of Route 30014 in Greene County a distance of about 1.8 miles]

[Route 30113 Beginning at a point on Route 30004 about 0.6 of a mile northwest of Nettle Hill thence northeasterly through Jackson Township to a point on Route 30003 about 1.0 mile north of Route 111 in Greene County a distance of about 1.7 miles]

Route 31033 Beginning at a [road intersection] point on Route 31038 approximately one-half mile north of the Porter-Walker Township line in Porter Township Huntingdon County thence northwesterly through Porter Township to the Valley School thence northwesterly and northerly to a point on [State-aid Application 684 approximately one-quarter mile east of Robinsons Run] Routes 31046 and 31075 in Huntingdon County a distance of about [1.5] 2.85 miles

Route 31084 Beginning at a point on the north Mapleton Borough line at Bridge Street in Brady Township thence in a northeasterly and easterly direction through Brady Township to a point on Route 33 approximately 2.5 miles south of Mill Creek in Huntingdon County a distance of about [0.1] 0.9 of a mile

[Route 31093 Beginning at a point on Route 33 about 1.0 mile southeast of Ardenheim thence northeasterly and northwesterly through Henderson Township to a point on Route 31042 about 0.7 of a mile southwest of Union Church in Huntingdon County a distance of about 5.7 miles]

[Route 31099 Beginning at a point on Route 31011 near Wood thence easterly through Wood Township to a point on Application 4279 in Huntingdon County a distance of about 1.1 miles]

Route 33064 Beginning at a point on [Route 59 in the village of Harvey's Run thence northwesterly through

Washington Township crossing] Route 33038 about 1.0 mile south of Beechtree thence southwesterly and westerly in Washington Township to an intersection with Route 33029 about 0.5 of a mile south of Coal Glen in Jefferson County a distance of about [4.5] 2.0 miles

[Route 33075 Beginning at a point on Route 33051 about 0.5 of a mile north of Route 33040 thence in an easterly and southeasterly direction through Winslow Township to the Sykesville Borough line in Jefferson County a distance of about 1.6 miles]

[Route 33084 Beginning at a point on Route 33033 about 0.5 of a mile west of the Clearfield County line thence in a northerly direction through Henderson Township to the Sykesville Borough line in Jefferson County a distance of about 0.7 of a mile]

[Route 34059 Beginning at a point on Route 34010 about 0.2 of a mile north of the Monroe-Greenwood Township line thence easterly and northeasterly through Monroe Township to a point on Route 34009 at Knousetown in Juniata County a distance of about 2.15 miles]

Route 34061 Beginning at a point on Route [34012 about 0.5 of a mile south of Route 34060] 45 near the Spruce Hill-Turbett Township line thence [southeasterly and] southerly through [Susquehanna] Turbett Township to a point on the Juniata-Perry County line in Juniata County a distance of about [1.4] 5.4 miles

Route 36096 Beginning at an intersection with Route 36009 at or near White Plains Schoolhouse and extending in an easterly direction through Colerain Township [to an intersection with Route 507 in] via the village of Union to a point on Route 36022 in Lancaster County a distance of about [1.8] 4.6 miles

Route 36119 Beginning at an intersection with Route 36067 about 0.5 of a mile south of an intersection with Route 36069 and extending in a northeasterly [and easterly] direction through Rapho Township to a road intersection [0.3 of a mile south of Buck Run School] one mile south of Fairview Church in Lancaster County a distance of about [2.1] 3.8 miles

Route 39081 Beginning at a point on Route 152 near the intersection of Route 153 and the Allentown and Coopersburg Turnpike thence northerly through Upper Sancon Township to intersect Route 39002 about 0.8 of a mile west of Friedensville [thence beginning at a point on Route 39002 about 0.1 of a mile west of the point of intersection and running in a general northeasterly direction crossing Route 39076 to a road intersection thence continuing through Upper Sacon Township in a southwesterly and northwesterly direction to a point on the Upper Sancon-Salisbury Township line thence northerly through Salisbury Township to intersect Route 39013 about 1.5 miles east of the intersection of Routes 153 and 39013] in Lehigh County a distance of about [4.9] 1.6 miles

Route 40032 Beginning at a point on Route 40031 in Newport Township [approximately 1.2 miles east of] at Wanamie thence northerly through Newport Township [thence easterly through Newport Township to a point where it intersects Route 40031 approximately .3 of a mile west of Alden in Newport Township] to Newport Centre in Luzerne County a distance of about 1 mile

[Route 41019 Beginning at a point on State Highway Route 23 near the mouth of Steward's Run thence northwesterly along Steward's Run in Piatt Township about 1.5 miles thence easterly through Piatt Township to the intersection with Route 41018 about .25 of a mile west of Larryville in Lycoming County a distance of about 3.6 miles]

Route 41024 Beginning at a point on State Highway Route 106 in Pine Township about [0.5 of a mile] 1.25 miles south of Lorenton [thence southwesterly through Pine Township to the crossing of State Highway Route 106 at Oregon Hill] thence westerly through Pine Township [about 1.5 miles] to [a] the fifth road intersection in Lycoming County a distance of about [2.4] 2.12 miles

Route 41026 Beginning at a point on State Highway Route 23 [near] about 0.5 of a mile west of the mouth of Pine Run in Piatt Township thence southerly easterly and northerly to another point on Route 23 about 0.25 of a mile east of Pine Run in Woodward Township thence northerly along Pine Run through Woodward [Piatt] and Anthony Townships to the Mifflin Township line thence southwesterly through Mifflin Township to the southeast corner of Salladasburg Borough in Lycoming County a distance of about [7] 9.53 miles

Route 41073 Beginning at a point on State Highway Route 303 at Opp thence northerly through Morelanc Township to the intersection with Route 41072 about [1.25 1.07 miles [south] southwest of its intersection with State Highway Route 239 in Lycoming County a distance of about [2.7] 3.21 miles

[Route 41084 Beginning at a point on State Highway Route 536 about .25 of a mile north of Biggertown thence northerly through Jordan Township to the intersection with State Highway Route 321 at Lungerville in Lycoming County a distance of about 1.7 miles]

Route 41094 Beginning at a point on Route 303 about 0.3 of a mile southeast of the intersection of Routes 19 and 303 thence in a southerly direction through Muncy Creek Township to an intersection with Route [41065 41064 in Lycoming County a distance of about [0.4 of mile] 1.7 miles

[Route 41096 Beginning at a point on Route 4107 about 0.3 of a mile west of the intersection of Routes 41076 and 41077 thence in a northwesterly and northeasterly direction through Jordan and Franklin Township to a point on Route 41080 in Lycoming County a distance of about 1.1 miles]

[Route 41099 Beginning at a point on Route 4106 about 1.0 mile south of the Mill Creek Township line thence in a northeasterly and easterly direction through Muncy Township to a point on Route 41061 near the northeast corner of Muncy Township in Lycoming County a distance of about 2.2 miles]

Route 41101 Beginning at a point on Route 239 about [1.3] 0.25 miles east of the intersection of Route 23 and Route [41067] 41080 thence in a northeasterly [easterly and northwesterly] direction through Franklin Township to a point on Route 321 at or near the village of North Mountain in Lycoming County a distance of about [4.6] 3.97 miles

[Route 41108 Beginning at a point on Route 4102 about 0.5 of a mile west of English Center thence in a general northerly direction through Pine Township to a point on Route 41024 at Oregon Hill in Lycoming County a distance of about 7.3 miles]

[Route 41119 Beginning at a point on the Northumberland Lycoming County line about 0.4 of a mile west of Route 41062 thence in a westerly direction through Muncy Creek Township to a point on the Northumberland-Lycoming County line about 1.2 miles east of Route 240 in Lycoming County a distance of about 1 miles]

[Route 41125 Beginning at a point on Route 106 about 0.3 of a mile north of Brookside thence northeasterly through Cogan House Township to a point on Route 353 about 0.2 of a mile southwest of White Pine in Lycoming County a distance of about 2.0 miles]

Route 43071 Beginning at the east line of Sheakleyville and running east through Sandy Creek Township to a point on the dividing line between Sandy Creek and Deer Creek Township thence east through Deer Creek Township via Williams Corners and Condit Corners to a point on the dividing line between Deer Creek and French Creek Townships thence east in French Creek Township [across State] to Route 294 at Jacobs Corners [and continuing east and northeast along Deer Creek to the intersection with State Route 207 at Carlton] Mercer County a distance of about [11.8] 7.4 miles

Route 43074 Beginning at a point on the east borough line of New Lebanon and running east in Mill Creek Township via Crouser Corners to Gilmore Corners thence north in Mill Creek Township to a point on the dividing line between Mill Creek and French Creek Townsh

hence north past the Blair School to a point [of intersection on the Deer Creek Road about 1.25 miles south of] on Route 207 at Carlton in Mercer County a distance of about [5.3] 6.3 miles

[Route 43093 Beginning at a point on Route 695 about 0.3 of a mile east of the Ohio State line thence northerly through West Salem Township to a point on Route 43058 in Mercer County a distance of about 3.1 miles]

Route 44031 Beginning at a point on the north line of Lewistown Borough at Walnut Street thence northwesterly through Derry and Granville Townships about .15 of a mile to a road intersection thence southwesterly to a point on the north line of Lewistown Borough near the intersection of Grand and Ridge Avenues in Mifflin County a distance of about [1.6 miles] 0.4 of a mile

Route 45005 Beginning at a point on Route 45004 Ross Township approximately two miles west of Rossland thence in a northwesterly direction through Ross and Chestnut Hill Township to a [where it intersects State Highway Route 164 approximately one mile east of Gilbert] on Route 45049 about 1.3 miles northwest of Broadheadsville in Monroe County a distance of about [3.8] 4.8 miles

Route 45024 Beginning at a point on State Highway Route 168 at Tannersville in Pocono Township thence in a northwesterly direction through Pocono and Tobyhanna Township to a point where it intersects Route [45050 approximately 1.75 miles southwest of village of Pocono Summit] 169 at Naomi Pines a distance of about [6] 8 miles

Route 45055 Beginning at a point on Route 45043-Spur "E" at Merwinsburg thence northeasterly through Chestnut Hill Township to a point [of intersection with Route 45049] on Route 45042 approximately 2.35 miles north of Effort in Monroe County a distance of about [1.6] 2.7 miles

[Route 45072 Beginning at a point on Route 45004 near Kunkletown thence northerly through Eldred Township to a point on Route 45003 in Monroe County a distance of about 0.1 of a mile]

[Route 45081 Beginning at a point on State Highway Route 220 about 2 miles north of Marshalls Creek thence in a northerly and westerly direction through Middle Smithfield Township over present Township Route 558 to the intersection with Rural Route 45017 about 0.1 of a mile south of the Monroe-Pike County line in Monroe County a distance of about 6.6 miles]

Route 46057 Beginning at a point on the Philadelphia-Montgomery County line at the intersection of City Line Avenue on River Road thence northwesterly through Lower Merion Township along above mentioned River Road to its intersection with [Righter's Ferry Road] Belmont Avenue in Montgomery County a distance of about [0.7 mile] 1.7 miles

Route 46116 Beginning at a point on [the Cheltenham-Springfield Township line said point being the intersection of Willow Grove and Cheltenham Avenues thence northwesterly on Cheltenham Avenue via said township line and through Springfield Township to a point at the intersection of Cheltenham Avenue with Paper Mill Road] a point on Route 151 at the Philadelphia City line thence over Cheltenham Avenue through Cheltenham and Springfield Townships to a point on Route 46114 in Montgomery County a distance of about [1 mile] 3 miles

Route 47004 Beginning at a point on State Highway Route 259 about 1.5 miles east of Northumberland County thence northeasterly through Liberty Township to a point about 2.0 miles from its beginning thence northerly through Liberty Township and Limestone Township crossing Chillisquaque Creek [to the intersection with] and Route 47003 about 1.5 miles northeast of Mexico to a point on Route 585 about 2.23 miles east of the Montour-Northumberland County line in Montour County a distance of about [3.8] 4.70 miles

Route 47026 Beginning at a point on Route [49057 at or near] 259 about one half mile east of the Montour-Northumberland County line thence in a southeasterly direction through Liberty Township to a point on Route 47002 about [1.5] 2.5 miles east of the Montour-Northumberland County line in Montour County a distance of about [2.6] 2.17 miles

Route 47037 Beginning at a point on Route 585 [at] south of Limestoneville thence northerly and westerly through Limestone Township to the Northumberland County line in Montour County a distance of about [0.7 of a mile] 1.25 miles

Route 48088 Beginning at a point on Route [752 about 2.0 miles northeast of Clearfield] 48044 about one-half mile north of Route 752 thence northeasterly through Bushkill and Plainfield Townships to a point on the west line of Wind Gap Borough at Center Street in Northampton County a distance of about [3.5] 2.9 miles

Route 48090 Beginning at a point on the north line of the city of Bethlehem thence in a northerly and easterly direction through Lower Saucon Township to a road intersection at Redington thence southeasterly and northeasterly to a point on Route 48010 about 2 miles north of Lower Saucon in Northampton County a distance of about [3.0] 4.5 miles

[Route 49006 Beginning at a point on State Highway Route 1 about two miles south of Herndon thence northerly through Lower Mahanoy Township and Jackson Township to a point of State Highway Route 1 about .5 of a mile south of Herndon Borough in Northumberland County a distance of about 1.4 miles]

Route 49014 Beginning at a point on Route 49013 about three and one-half miles west of the East Cameron Township line thence northerly through West Cameron Township to the intersection of Route 49013 [about .75 of a mile east of] at Gottshalls in Northumberland County a distance of about [.5] .6 of a mile

Route 49021 Beginning at a point on State Highway Route 336 at Dornsife thence northeasterly through Little Mahanoy Township [about 2.0 miles thence southeasterly through Little Mahanoy Township to the intersection with State Highway Route 336 at Hunters Station] to its intersection with Route 49079 in Northumberland County a distance of about [2.6] 1.2 miles

Route 49025 Beginning at a point on State Highway Route 1 in Upper Augusta Township about one mile south of Shamokin Creek thence southeasterly through Upper Augusta and Lower Augusta Townships to its intersection with [Route 49022 about 1.5 miles west of Augustaville] Route 49026 in Northumberland County a distance of about [2.6] 1.1 miles

Route 49037 Beginning at a point on Route 49036 [about 1.5 miles northeast of] at Weight Scales thence [northwesterly] northerly through Ralpho Township about [.74] .9 of a mile thence easterly crossing Route 49035 about 2.5 miles southeast of Paxinos thence easterly through Ralpho Township to the intersection with State Highway Route 632 about one mile north of Bear Gap in Northumberland County a distance of about [3.5] 4.4 miles

[Route 49044 Beginning at a point on Route 49040 about 0.5 of a mile west of Rushtown thence northerly along Wilson Run through Rush and Gearhart Townships to the intersection with Route 49043 about 0.25 of a mile west of its intersection with Route 49040 in Northumberland County a distance of about 2.0 miles]

Route 49075 Beginning at a point on Route 49008 about [0.2] 0.7 of a mile southwest of its intersection with Route 49009 thence in a general southerly and southeasterly direction through Jordan Township to a point on Route 49007 about [0.7 of a mile] 1.3 miles southwest of Hebe in Northumberland County a distance of about [2.7] 2.8 miles

[Route 49076 Beginning at a point on Route 49013 about 0.75 of a mile east of the intersection of Routes 49014 and 49013 thence in a southwesterly direction through West Cameron and Upper Mahanoy Townships to a point on Route 49010 about 0.4 of a mile east of Greenbrier in Northumberland County a distance of about 3.7 miles]

Route 49081 Beginning at a point on Route [49027 at or near the Shamokin-Zerbe Township line thence in a

northeasterly and northwesterly direction through Shamokin and Rockefeller Townships] 49080 about one-half mile south of Seven Points thence northerly in Rockefeller Township to a point on Route 49027 about 0.1 of a mile west of its intersection with Route 49028 in Northumberland County a distance of about [4.3 miles] .7 of a mile

[Route 49014 Beginning at a point on Route 49054 near Chillisquaque Creek thence in a southerly and southwesterly direction through East Chillisquaque Township to the bridge over Chillisquaque Creek in Northumberland County a distance of about 1.8 miles]

[Route 49107 Beginning at a point on Route 240 about 0.3 of a mile south of the intersection of Routes 240 and 49063 thence in a northeasterly direction through Delaware Township to a point on the Northumberland-Lycoming County line about 1.5 miles northeast of Route 49063 beginning again on the Northumberland-Lycoming County Line about 1.0 mile southwest of the intersection of Route 49062 and the said county line thence in an easterly direction through Delaware Township to a point on Route 49062 in Northumberland County a distance of about 2.1 miles]

Route 49109 Beginning at a point on Route 49010 about 1.0 mile east of the Jackson Township line thence southeasterly and [easterly] westerly through Washington [and Jordan Townships] Township to a point on Route [49069 near its intersection with Route 49008] 49009 north of Urban in Northumberland County a distance of about [3.8] 3.7 miles

Route 49110 Beginning at a point on Route 49027 about 0.6 of a mile south of Augustaville thence easterly and southerly through Rockefeller and Shamokin Townships to a point on Route [49081] 49033 in Northumberland County a distance of about [3.0] 3.3 miles

Route 52043 Beginning at a point on [Route 52024 at Kinney Corners] Application 5379 at Genesee and extending in a general northeasterly direction through Genesee Township to the Pennsylvania-New York State line in Potter County a distance of about [0.6] 0.4 of a mile

Route 53073 Beginning at a point of road intersection 17 about .25 of a mile north of the point of intersection of Cass New Castle and Norwegian Township lines in Cass Township thence [northeasterly through Cass and New Castle Townships] to a point near a railroad crossing thence over a right-of-way to be dedicated for highway purposes thence to a point where it intersects Route 53032 at Wade in Schuylkill County a distance of about 1.6 miles.

Route 53082 Beginning at a point on Route 53019 at or near the intersection of Routes 53019 and 53020 thence in a southwesterly direction through West Penn and East Brunswick Townships for a distance of about 1.7 miles [to a road intersection thence in a northerly direction through East Brunswick an West Penn Townships to an intersection with Route 53019 at or near the intersection of Routes 53019 and] thence in a northwesterly direction through East Brunswick Township to a point on Route 754 about 0.5 mile east of Hecla in Schuylkill County a distance of about [3.4] 3.5 miles

[Route 53085 Beginning at a point on Route 53047 about 0.4 of a mile west of the intersection of Routes 53051 and 53047 at the village of Rough and Ready thence in a northwesterly direction through Upper Mahantongo Township to a point on the Upper Mahantongo Township-Northumberland County Line in Schuylkill County a distance of about 0.5 of a mile]

[Route 54053 Beginning at a point on Route 54036 about 0.7 of a mile north of the intersection of Routes 54035 and 54036 thence in a southwesterly direction through Jackson and Centre Townships to a point on Route 54052 in Snyder County a distance of about 2.4 miles]

[Route 54054 Beginning at a point on Route 455 about 1.0 mile west of Kratzerville thence in a northerly direction through Jackson Township to a point on the Snyder-Union County line about 0.25 of a mile west of the Monroe-Jackson Township line in Snyder County a distance of about 2.1 miles]

Route 55005 Beginning at [a road intersection at a point on the east borough line] Route 808 about 0.4 of a mile north of Wellersburg [about five-eighth of a mile] north of the C & P Railroad in Southampton Township thence northeasterly through Southampton Township to a road intersection about .5 of a mile east of the village of Gladdens thence northerly to [a point on the Southampton-Fairhope Township line thence northwesterly through Fairhope Township to the village of Fairhope] Comps Cross Roads beginning again at Fairhope thence westerly and northerly via [to a road intersection about .25 of a mile southeast of] Kammers School [thence northerly] to a point on the Fairhope-Allegheny Township line about .75 of a mile north of Emerick School thence northerly through Allegheny Township to [a road intersection at a] Schaffer Lutheran Church about .75 of a mile southwest of the village of Glen Savage thence northwesterly to a point on Route 49 [about .25 mile west of] at the village of Dividing Ridge in Somerset County a distance of about [19.2] 18.7 miles

Route 55095 Beginning at a point on State-aid Application 2839 about .25 of a mile south of Roaring Fork branch of Shade Creek in Paint Township thence northeasterly through Paint Township to a road intersection about one-eighth of a mile north of the village of Arrow thence northeasterly to a point on the Paint-Ogle Township line thence northerly through Ogle Township to the village of New Ashtola thence [northerly] northeasterly and northwesterly through Ogle and Paint Townships to a point on Route 222 about [.25 of a] 1.0 mile west of [Two Mile Run] Roaring Fork Creek in Somerset County a distance of about [3.8] 5.0 miles

Route 55143 Beginning at a point on Route 55008 [0.1 of a mile] just south of [its intersection with Route 55019] the Summit Township line thence in a southeasterly northeasterly and southeasterly direction through Elk Lick and Summit [Townships[via Shaw Mines to a point on Route 51 about 1.0 mile southwest of Meyersdale in Somerset County a distance of about [3.0] 3.3 miles

[Route 56037 Beginning at a point on Route 321 about 0.1 of a mile north of Route 56003 thence southeasterly through Shrewsburg Township to a point on the Shrewsbury-Davidson Township line in Sullivan County a distance of about 1.2 miles]

Route 56039 Beginning at a point [on Route 472 about 1.5 miles east of the Forks-Cherry Township line thence easterly and southerly through Cherry Township about 1.8 miles to a road intersection known as Bundles Corner in Cherry Township thence easterly and northerly to a point on Route 56024 about 0.9 of a mile west of Route 17 in Sullivan County a distance of about [4.5] 1.26 miles

Route 57022 Beginning at a point on Route 12 at Dimock [in Dimock Township] thence easterly and northerly through Dimock Township [thence northerly through Dimock] Township intersection Route 57021] thence northwesterly through Bridgewater Township [intersecting Route 57009 thence northwesterly through Bridgewater Township] to [a point where it intersects] Route 12 approximately .5 of a mile south of Montrose Borough line thence westerly to Route 14 at Route 57023 in Susquehanna County a distance of about [8] 9.4 miles

[Route 57121 Beginning at a point on Route 263 about 1.0 miles south of Franklin Forks thence southeasterly through Franklin Township to a point of Route 57120 in Susquehanna County a distance of about 0.6 of a mile]

Route 57126 Beginning at a point on Route 57025 about 1.0 mile south of Tiffany thence southeasterly through Bridge Water Township to a point on Route 174 thence southeasterly through Bridgewater and Brooklyn Townships to Route 57027 about 1 mile north of Route 174 in Susquehanna County a distance of about [0.8 of a mile] 3.2 miles

[Route 57128 Beginning at a point on Route 944 about 1.0 mile northwest of its intersection with Route 57078 thence northeasterly and easterly through Bridgewater

Township to a point on Route 57078 about 0.7 of a mile northwest of its intersection with Route 944 in Susquehanna County a distance of about 1.0 miles]

[Route 57132 Beginning at a point on the east line of Montrose Borough thence easterly through Bridgewater Township to the intersection of Route 9 and 263 in Susquehanna County a distance of about 0.2 of a mile]

[Route 58059 Beginning at a point on Route 58057 approximately 1.5 miles northeast of the mouth of Fellows Creek thence easterly through Ward Township to the Bradford County line at a point approximately 2.5 miles northwest of Canton Borough in Tioga County a distance of about 2.4 miles]

Route 58087 Beginning at a point on Route 212 approximately 1.8 miles west of the Tioga-Bradford County line thence in a southeasterly direction through Sullivan Township [crossing] to an intersection with Route 58060 [to a point on the Bradford County line] in Tioga County a distance of [2.4] 1.68 miles

Route 58094 Beginning at a point on Route 58073 about [1.75] 2 miles northwest of its intersection with Route 556 thence in a northerly direction through Jackson Township to a point on [Route 58075 about 0.7 of a mile southeast of] the New York State line in Tioga County a distance of about [1.4] 1.9 miles

[Route 58098 Beginning at a point on Route 58006 about 1.2 miles southeast of its intersection with Route 58006 Spur "E" thence in a northeasterly direction through Brookfield Township to a point on Route 58007 about 0.1 of a mile north of Sylvester in Tioga County a distance of about 2.0 miles]

Route 58103 Beginning at a point on Route 58077 [about 2.2 miles northeast of its intersection with Route 58042] at Benedicts Corners thence in a northerly and] southeasterly direction through Charleston and Richmond Townships to a point on Route 58044 about 0.7 of a mile southwest of its intersection with Route 58088 in Tioga County a distance of about [2.9] 1.05 miles

[Route 58107 Beginning at a point on Route 58055 near the bridge over French Lick Run thence extending in a northerly and westerly direction through Union Township to another point on Route 58005 about 0.4 of a mile south of its intersection with Route 58053 in Tioga County a distance of about 3.2 miles]

[Route 58108 Beginning at a point on Route 58081 about about 2.0 miles southeast of East Point thence extending in an easterly and northeasterly and easterly direction through Liberty and Union Townships to a point on Route 58055 about 2.2 miles south of Route 58053 in Tioga County a distance of 2.4 miles]

[Route 558109 Beginning at a point on Route 58098 about 0.9 of a mile east of Route 58081 thence southerly through Liberty and Union Townships to a point on the Tioga-Lycoming County line about 0.2 of a mile east of the Liberty-Union Township line in Tioga County a distance of about 1.2 miles]

Route 59011 Beginning at a point on Route 59005 about 0.75 of a mile east of White Springs thence southerly through Limestone Township to the north bank of Penn Creek thence easterly along the north bank of Penn Creek to an intersection with State Highway Route [26 at the Snyder County line] 27 about 1.5 miles west of New Berlin in Union County a distance of about [1.8] 3.9 miles

[Route 60068 Beginning at a point on Route 60040 near Sunville thence northeasterly through Plum Township to a point on Route 60042 at Plum Center in Venango County a distance of about 2.0 miles]

Route 62006 Beginning at [the West Virginia State line near Seldon Seen] a point on Route 62023 near Bethel Church thence northeasterly through Jefferson Township [via Bethel Church and Bethel Ridge Road] to a point on Route 974 at Eldersville in Washington County a distance of about [6.25] 3.35 miles

[Route 62086 Beginning at road intersection near Clarke Hathaway's thence northerly in Amwell Township to State Route 113 about 1.3 miles west of Glyde in Washington County a distance of about 0.7 of a mile]

Route 62137 Beginning at [Route 62118 thence southerly along a branch of Robinson Fork to Robinson Fork] a point on Route 62120 at Good Intent thence northeasterly [via Good Intent] through West Finley Township to the county road in East Finley Township in Washington County a distance of about [3.2] 2 miles

Route 62140 Beginning at a point on Route 62082 near Franklin School thence in an easterly direction to the Marianna Borough line and from a point on the Marianna Borough line at Ten Mile Creek easterly to a point on said borough line near Beeson Avenue in Washington County a distance of about [0.9] one mile

[Route 64030 Beginning on Slickville-Perrysville improved road about .5 mile north of Alcorn's Crossroads and extending in a westerly direction to Route 64024 in Westmoreland County a distance of about 1 mile]

Route 64038 Beginning at Route 69 [0.25 mile south of east end of Route 64078] about 0.75 of a mile southeast of Application 4010 thence northerly and [extending in a general] easterly [direction to and across Greensburg-Five Points Road Route 64054 to Route 68 traversing same in a northeasterly direction .5 mile thence extending eastwardly] in Hempfield Township to Route 64147 near Old Crabtree in Westmoreland County a distance of about [6.8] 6.5 miles

Route 64063 Beginning at a point on Route 302 at the east borough line of New Florence and extending in a southeasterly and southwesterly direction [along Baldwin's Run to intersection of road leading from New Florence to Laurel School Number 2] in St Clair Township to a point on Route 64056 about 0.9 of a mile southeast of Route 302 in Westmoreland County a distance of about [.5 mile] 1.3 miles

Route 64090 Beginning at Route 120 at Circleville and extending in a southerly direction crossing Long Run Route 65102 about one-half mile south of Crawford Run thence southwesterly [by way of the M M Turner farm to road intersection thence southwesterly to a point on Route 65102 about one-half mile south of Crawford Run [Robbins Station] in Westmoreland County a distance of about [3.5] 3.2 miles

Route 64097 Beginning at Route 120 between the villages of Stewartsville and Circleville and extending in a northerly direction [through Skellytown to intersect with the Larimer and Tafford concrete road at the southern end of Route 64088 on the north side of the Pennsylvania Railroad main line tracks at a point about .5 mile northwest of Larimer] in North Huntingdon Township in Westmoreland County a distance of about [1] 0.6 of a mile

Route 64098 Beginning at Route 117 about one-half mile south of the County Home at Willow Grove crossing and extending in a northeasterly and northwesterly direction in Hempfield Township via Swede Hill to Route [64166] 118 in Westmoreland County a distance of about [.9 mile] 1.9 miles

Route 64102 Beginning at the county road in Herminie and extending in a general southwesterly direction to the village of Dick thence in a northwesterly direction [to Shaner beginning again on Route 64102 about .5 mile east of Shaner thence northwesterly] through Guffey to Route [64090] 64203 northeast of Robbins Station beginning again on Route 64106 about 1 mile east of county road in Herminie thence in a southerly direction to and across Route 118 to Route 64180 near Bells Mills in North Huntingdon and Sewickley Townships Westmoreland County a distance of about [8.9] 8.6 miles

Route 64105 Beginning at [or near] the north line of the borough of Arona and extending in a northerly direction in Hempfield Township to Route [64103 near Adamsburg] 64182 in Westmoreland County a distance of about [2.7] 2.3 miles

Route 64113 Beginning at Route 118 about .5 mile northeast of Harrold School and extending in a [general southeasterly] southerly direction in Hempfield Township [across Route 64166 to intersection with Route 117] to a point on Route .64166 in Westmoreland County a distance of about [2.3] 1.2 miles

Route 64115 Beginning on Route [64117] 991 about one mile [northeast] east of Macbeth and extending in a southeasterly direction in East Huntingdon Township to [improved road leading from Smithton to Scottdale thence easterly along same to end of county road about 1.5 miles from] the borough of Scottdale in Westmoreland County a distance of about [2.8] 3.7 miles

Route 64148 Beginning at Route 64123 about .5 of a mile north of the northern end of Route [922] 971 and extending in a northeasterly direction in South Huntingdon Township [along township improved road] to Route 64189 [thence bearing in a southeasterly direction to Route 64120 near Centerville] in Westmoreland County a distance of about [2.2] 1.2 miles

Route 64149 Beginning at [old location of] Route 119 about 500 feet [east] west of Pennsylvania Railroad crossing [and extending northwesterly to a new location of Route 119] thence [continuing] northeasterly in Unity Township to county road at St Vincent College in Westmoreland County a distance of about [1] 0.85 of a mile

[Route 64168 Beginning at Route 64116 at Pierce School and extending in a northeasterly direction to intersection with Route 117 at Keystone Brick Yard in Westmoreland County a distance of about 1.4 miles]

Route 64177 Beginning at the northern end of Route 64139 near Alters School and extending in a general northeasterly and northerly direction [via Alters School Carnegie Estate and intersecting Route 69 near Garver's Ferry] in Allegheny Township to McKean in Westmoreland County a distance of about [3.1] 1.7 miles

Route 64187 Beginning at a point on Route [64144 about .6 of a mile west of Youghiogheny River and extending] 288 south of Rostraver thence in a southeasterly and southerly direction in Rostraver Township via Oliphant School [to] and Van Meter [and thence up river] to Fayette County line in Westmoreland County a distance of about [2] 3.3 miles

Route 64220 Beginning at a point on State-aid Application 143 [Section 2] about 1.0 miles southeast of the city of Monessen-Rostraver Township line and extending in a northeasterly [and northerly] direction through Rostraver Township to [a point on State-air Application 143 about 0.15 of a mile east of the eastern city line of Monessen] Route 64259 in Westmoreland County a distance of about [2.4] 1.8 miles

Route 64239 Beginning at a point on the county road leading from Harrison City of Export about 0.2 of a mile northeast of its intersection with Route 639 thence in a northwesterly direction through Penn [and Franklin Townships] Township to a point on Route [64089 about 0.3 of a mile north of the Franklin-Penn Township line] 64238 about one mile northeast of Pleasant Valley in Westmoreland County a distance of about [4.6] 2.8 miles

Route 64246 Beginning at a point on Route 64114 near Plummer School thence northerly through South Huntington and Sewickley Townships to a point on Route 64104 at Cowansburg in Westmoreland County a distance of about 2.3 miles]

Section 2 Said act is hereby further amended by adding thereto the following new routes

Allegheny County

Route 02234 Beginning at a point on the Stoops Ferry and Shousetown County Road in Wireton thence southerly and westerly in Crescent Township to a point on the Beaver County line in Allegheny County a distance of about 1.25 miles

Route 02235 Beginning at a point on the northwest line of Castle Shannon Borough thence northwesterly in Mt. Lebanon Township on Castle Shannon Boulevard to a point on Route 806 thence northwesterly in Mt. Lebanon and Scott Townships on Cochran Road to a point on Route 802 in Allegheny County a distance of about 3 miles

Beaver County

Route 04120 Beginning at a point on Route 204 near Route 04032 thence southeasterly in Chippewa and Fallston Townships to a point on the Fallston Borough line in Beaver County a distance of about 4.6 miles

Route 04121 Beginning at a point on Route 278 about one-half mile northeast of Ohioville thence southerly in Ohio Township to a point on the Midland Borough line in Beaver County a distance of about 2.8 miles

Bradford County

Route 08184 Beginning at a point on Route 08062 about one mile southeast of West Burlington thence northeasterly in West Burlington and Burlington Townships to a point on Route 08069 south of Burlington in Bradford County a distance of about 3.4 miles

Route 08185 Beginning at a point on Route 08184 about 1.3 miles east of Route 08062 thence northerly in West Burlington Township to a point on Route 212 in Bradford County a distance of about 0.2 of a mile

Route 08186 Beginning at a point on Route 08093 about 0.75 of a mile north of Burlington thence northerly and easterly in Burlington and Smithfield Township line in Bradford County a distance of about 2.9 miles

Route 08187 Beginning at a point on Route 08172 about one mile south of Viall Hill thence southeasterly in Terry Township to a point on Route 08010 in Bradford County a distance of about 2.7 miles

Route 08188 Beginning at a point on Route 08066 at the Athens Township-Athens Borough line thence northeasterly in Athens Township to the Athens Borough line at Pine Street in Bradford County a distance of about .3 of a mile.

Route 08189 Beginning at a point on Route 20 about 0.75 of a mile north of Cedar Lodge thence southeasterly in Canton Township to the Canton Borough line at South Main Street in Bradford County a distance of about 0.1 of a mile

Cameron County

Route 12009 Beginning at a point on the north line of Emporium Borough at Oak Street thence northwesterly in Shippen Township Cameron County for a distance of 2.3 miles

Carbon County

Route 13046 Beginning at a point on Route 13014 east of Bowmanstown thence northerly and northeasterly through Lower Towamensing Township to the Parryville Borough line thence from a point on the eastern line of Parryville Borough northerly in Franklin Township for a distance of about 0.1 of a mile to a second point on the Parryville Borough line in Carbon County a distance of about 1.1 miles

Centre County

Route 14057 Beginning at a point on Route 27 near the Bellefonte Borough line thence northwesterly in Spring Township to the Bellefonte Borough line in Centre County a distance of about 0.05 of a mile

Route 14058 Beginning at a point on Route 14056 in Blanchard thence in a general southeasterly direction over Bald Eagle Creek to a point about 500 feet southeast of Eagleville Station in Liberty Township Centre County a distance of about 1.0 mile

Route 14059 Beginning at a point on Route 14014 about two thirds of a mile west of Rockspring thence southwesterly in Ferguson Township to the Huntingdon County line in Centre County a distance of about 0.6 of a mile

Chester County

Route 15231 Beginning at a point on Route 15129 near its intersection with Route 15130 thence northwesterly in Warwick Township to the Berks County line in Chester County a distance of about 2 miles

Route 15232 Beginning at a point on Route 15147 at Fontaine thence northwesterly in Honey Brook Township to the Lancaster County line in Chester County a distance of about 1.4 miles

Route 15233 Beginning at a point on Route 15220 about 0.3 of a mile north of West Grove thence northerly in

London Grove Township to a point on Route 215 In Chester County a distance of about 2.1 miles

Route 15234 Beginning at a point on Route 15039 about 1.5 miles east of Clifton Mill thence easterly in Kennett Township to a point on Route 15041 in Chester County a distance of about 0.7 of a mile

Route 15235 Beginning at a point on Route 137 about one-half mile southeast of Brandywine Manor thence southerly in Brandywine Township to Route 15186 thence westerly to a point on Route 372 in Chester County a distance of about 1.6 miles

Clearfield County

Route 17118 Beginning at a point on Route 17072 near the DuBois City line thence in an easterly direction through Sandy Township to a point on Route 17016 near the Brooks School in Clearfield County a distance of about 1.6 miles

Route 17119 Beginning at a point on Route 57 just east of the Clearfield Borough line thence southwesterly on Woodland Road in Lawrence Township to the Clearfield Borough line in Clearfield County a distance of about 0.7 of a mile

Route 17120 Beginning at a point on the eastern line of Clearfield Borough at Clark Street thence in a general southeasterly direction in Lawrence Township to a point on Route 17038 in Clearfield County a distance of about 1.6 miles

Route 17121 Beginning at a point on Route 57 at Mineral Springs thence in a general southeasterly direction through Bradford and Boggs Township via Bigler to the western line of Wallaceton Borough and from the south line of Wallaceton Borough southerly and southeasterly in Boggs Township crossing Route 57 to a point on Route 57 about 1.5 miles north of West Decatur in Clearfield County a distance of about 6.4 miles

Route 17122 Beginning at a point on Route 57 near Pleasant Hill thence northwesterly through Decatur and Boggs Townships to a point on Route 57 near West Decatur in Clearfield County a distance of about 3.4 miles

Route 17123 Beginning at a point on Route 17043 about 1.0 mile southeast of Route 857 thence northeasterly through Gulich Township crossing Route 857 at Jamesville to a point on Route 276 in Clearfield County a distance of about 0.9 of a mile

Clinton County

Route 18042 Beginning at a point on the Lock Haven City-Castanea Township line thence northeast through Castanea Woodward Dunnstable and Pine Creek Townships to a point on Route 23 east of Charlton in Clinton County a distance of about 5.5 miles

Route 18043 Beginning at a point on Route 58 about 0.5 of a mile west of Lamar thence south in Porter Township to a point on Route 18006 in Clinton County a distance of about 0.30 of a mile

Route 18044 Beginning at a point on Route 18008 near the Centre-Clinton County line thence southeast in Porter Township to a point on Route 58 about 0.75 mile east of Lamar in Clinton County a distance of about 2.70 miles

Route 18045 Beginning at a point on Route 18010 about .2 of a mile north of Route 219 thence northeasterly and northwesterly crossing Route 18010 to a road intersection thence northeasterly to a point on Route 18010 in Bald Eagle Township Clinton County a distance of about 0.7 of a mile

Columbia County

Route 19116 Beginning at a point on the southern line of Centralia Borough thence southerly and southwesterly in Conyngham Township to a point on Route 19052 in Columbia County a distance of about 0.8 of a mile

Cumberland County

Route 21092 Beginning at a point on Route 708 thence southerly in East Pennsboro Township to the Camp Hill Borough line at Seventeenth Street in Cumberland County a distance of about 0.1 of a mile

Route 21093 Beginning at a point on Route 416 near Glen Allen School thence northeasterly through Upper Allen and Lower Allen Townships to a point on Route 21014 near Rossmoyne in Cumberland County a distance of about 1.7 miles

Dauphin County

Route 22077 Beginning at a point on the south line of Royalton Borough thence in a southeasterly direction in Londonderry Township to the Lancaster County line in Dauphin County a distance of about 2.7 miles

Elk County

Route 24029 Beginning at a point on Route 24009 in village of Dagus Mines and extending in a southeasterly southerly and westerly direction in Fox Township to a point in Route 24024 about 0.5 mile north of its intersection with Route 24009 in Elk County a distance of about 3.3 miles

Erie County

Route 25118 Beginning at a point on Route 25018 near the McKean-Mill Creek Township line thence in a northeasterly and easterly direction through McKean Mill Creek and Summit Townships to a point on Route 258 at its intersection with the Hershey Road thence in a northeasterly direction through Summit Township to a point on Route 351 near the Mill Creek Township line in Erie County a distance of about 3.2 miles

Route 25119 Beginning at a point on Route 86 about 1.75 miles west of Girard Borough at Schults Corners thence in a northerly and northeasterly direction in Girard Township through Todds Corners and Elk Park Corners to the southwest line of North Girard Borough in Erie County a distance of about 1.4 miles

Fayette County

Route 26159 Beginning at a point on the Fayette City Borough line thence in a northeasterly direction in Washington Township to a point on Route 26011 near Mill Run in Fayette County a distance of about 1.45 miles

Route 26162 Beginning at a point on Route 113 about 0.3 of a mile southeast of the Brownsville Borough line thence easterly in Redstone Township to Route 26165 in Fayette County a distance of about 1.6 miles

Route 26166 Beginning at a point on Route 26151 near Independent Church thence easterly in Bullskin Township to Route 26176 in Fayette County a distance of about 0.4 of a mile

Route 26167 Beginning at a point on Route 26044 just south of Route 26046 thence southeasterly in Bullskin Township to the Springfield Township line just south of the Saltlick Township line in Fayette County a distance of about 2.5 miles

Route 26168 Beginning at a point on Route 26167 just west of the Springfield Township line thence southeasterly in Bullskin Township to a point on the Bullskin-Springfield Township line in Fayette County a distance of about 0.4 of a mile

Route 26169 Beginning at the north city line of Uniontown at Gallatin Street thence in a general northeasterly direction in North Union Township to Route 117 just east of Bethelboro in Fayette County a distance of about 3.7 miles

Route 26170 Beginning at a point on Route 26073 at Canaan School thence southeasterly in Wharton Township to a point on Route 26113 at Five-Forks in Fayette County a distance of about 2.4 miles

Route 26171 Beginning at a point on Application 2406 at Wiggins thence southeasterly and northeasterly in Wharton Township to a point on Route 26061 about 0.4 of a mile southeast of Schaffer School in Fayette County a distance of about 2.7 miles

Route 26172 Beginning at a point on Route 26068 at Nicolay thence northwesterly and northeasterly in Stewart and Springfield Townships to a point on Route 26084 about 1.8 miles west of the Somerset County line in Fayette County a distance of about 4.5 miles

Route 26173 Beginning at a point on Route 26172 in Springfield Township about 0.6 of a mile northeast of the Stewart Township line thence southeasterly to the Somerset County line in Fayette County a distance of about 0.6 of a mile

Route 26174 Beginning at a point on the north line of Fayette City Borough thence northwesterly in Washington Township to Route 26136 at Marion School in Fayette County a distance of about 0.6 of a mile

Route 26175 Beginning at a point on Route 247 about 0.45 of a mile northwest of Fairhope thence northwesterly in Washington Township to the Westmoreland County line in Fayette County a distance of about 0.3 of a mile

Route 26176 Beginning at a point on Route 26150 near the Pleasant Valley County Club thence in a general northerly direction in Bullskin Township to a point on Route 26050 about 0.75 of a mile east of Pittston in Fayette County a distance of about 2.6 miles

Forest County

Route 27024 Beginning at a point on Route 27002 about 0.6 of a mile southeast of the Venango-Forest County line thence in a northeasterly direction to a point on Route 511 at Stewart's Run in Harmony Township Forest County a distance of about 1.3 miles

Franklin County

Route 28078 Beginning at a point on Route 28005 about 2.8 miles southeast of St Thomas thence northeasterly through St Thomas Township to Route 28052 in Franklin County a distance of about 1.75 miles

Route 28079 Beginning at the eastern end of the Application 230 about 2 mile southeast of Marion just south of the Guilford-Antrim Township line thence in a northeasterly direction through Antrim and Guilford Townships to the intersection of Route 588 in Franklin County a distance of about 2.6 miles

Route 28080 Beginning at a point on Route 28032 east of Clay Hill and running northeasterly and north through Antrim Quincy and Guilford Townships to Route 588 at Grindstone Hill in Franklin County a distance of about 4.2 miles

Route 28081 Beginning at a point on Route 28062 at Wayne Castle and running northeasterly through Washington and Quincy Townships to intersection of Route 588 at Five Forks in Franklin County a distance of about 2.85 miles

Route 28082 Beginning at a point in St Thomas on Route 37 just west of Route 28005 hence south westerly and southeasterly through St Thomas and Peters Townships via Rock Dale to intersect Route 28065 west of Williamson in Franklin County a distance of about 6 miles

Route 28083 Beginning at a point on Route 341 about 0.66 of a mile southwest of Markes thence southeasterly and easterly crossing the Pennsylvania Railroad to Route 28037 south of Lemasters in Franklin County a distance of about 1.3 miles

Route 28084 Beginning at a point on Route 28038 south of Gap Road thence northeasterly to Route 28002 northwest of Markes in Franklin County in distance of about 1.2 miles

Route 28085 Beginning at a point on Route 28005 about 0.85 of a mile northwest of St Thomas thence northeasterly to the St Thomas-Hamilton Township line at Route 28006 in Franklin County a distance of about 3.6 miles

Greene County

Route 30120 Beginning at a point on Route 30072 near the Franklin-Washington Township line thence in a northerly and northwesterly direction through Franklin and Washington Townships to a point on Route 325 about 1.5 miles south of Ruff Creek Greene County a distance of about 1.4 miles

Route 30121 Beginning at a point on Route 30048 about 0.5 miles west of the intersection of Route 30048 and Route 109 thence in a northwesterly direction through Morris Township to a point on Route 30070 about 2 miles south of Beulah Church in Greene County a distance of about 2.4 miles

Route 30122 Beginning at a point on Route 256 near Wiley thence in a northeasterly direction in Richhill Township through Hewitt to a point on Route 30118 about 0.5 miles northwest of Durbin in Greene County a distance of about 3.7 miles

Route 30123 Beginning at a point on Route 30076 about 0.7 of a mile northeast of Rameys Crossroads thence northwesterly in Monongahela Township to a point on Route 451 about one mile north of Sigsbee in Greene County a distance of about 2.5 miles

Huntingdon County

Route 31101 Beginning at a point on Route 31051 near the Alexandria Borough-Porter Township line thence northwesterly through Porter Township to a point on Route 55 near Waterstreet in Huntingdon County a distance of about 1.14 miles

Route 31102 Beginning at a point on Route 192 near the Lone Star School thence in a southerly direction through Union Township to a point on Route 31027 near Mapleton Depot in Huntingdon County a distance of about 1.2 miles

Route 31103 Beginning at a point near the Wood-Todd Township line at the end of Application 4973 thence in a northeasterly direction through Wood and Todd Townships to a point on Route 31013 near Eagle Foundry in Huntingdon County a distance of about 1.66 miles

Route 31104 Beginning on Route 56 about four-tenths of a mile southeast of the Centre County line thence northeasterly in Franklin Township to the Centre County line in Huntingdon County a distance of about 0.3 of a mile

Indiana County

Route 32158 Beginning at a point on Route 981 near Davis School thence in a southwesterly direction in South Mahoning Township to a point on Route 189 northwest of Beyer in Indiana County a distance of about 2.5 miles

Jefferson County

Route 33085 Beginning at a point on the Western line of Falls Creek Borough at Fuller Avenue thence westerly and northwesterly in Washington Township to a point on Route 33029 near Kyle Run in Jefferson County a distance of about 3.3 miles

Route 33086 Beginning at a point on Route 33039 at Wishaw thence northerly in Winslow Township to a point on Route 358 south of Jenks School in Jefferson County a distance of about 2.5 miles

Route 33087 Beginning at a point on Route 358 about 1.2 miles north of Punxsutawney thence northeasterly and easterly in Bell Township to a point on Route 33036 near Trout Run School in Jefferson County a distance of about 2.6 miles

Route 33088 Beginning at a point on Route 189 near Rikers thence southeasterly in Bell Township to a point on Route 436 west of the Cloe M E Church in Jefferson County a distance of about 1.9 miles

Lancaster County

Route 36179 Beginning at a point on Route 36098 north of Octoraro thence easterly in Sadsbury Township to the Chester County line in Lancaster County a distance of about 0.01 of a mile

Route 36180 Beginning at a point on Route 36080 near its intersection with Route 36005 thence easterly in Drumore Township to a point on Route 36007 near Hensel in Lancaster County a distance of about 0.7 of a mile

Route 36181 Beginning at a point on Route 36092 about 0.4 of a mile south of Route 136 thence easterly in Fulton and Little Britain Townships to a point on Route 36093 in Lancaster County a distance of about 0.3 of a mile

Lawrence County

Route 37081 Beginning at a point on Route 37003 thence northerly in North Beaver Township to the south line of Bessemer Borough a distance of about 0.7 of a mile

Lehigh County

Route 39115 Beginning at a point on Route 226 thence in an easterly direction through Lynn and Heidelberg Townships to a point on Route 39063 near its intersection with Route 39110 in Lehigh County a distance of about 0.9 of a mile

Route 39116 Beginning at a point on Route 39054 at Peters Stores thence northeasterly through Washington Township to a point on Route 163 at Hoffman in Lehigh County a distance of about 2 miles

Route 39117 Beginning at a point on Route 39076 about one mile west of Colesville thence northwestrly in Upper Sancon and Salisbury Townships to a point on Route 39013 about one-half mile west of Goffs in Lehigh County a distance of about 1.6 miles

Route 39118 Beginning at a point on Route 39117 about 0.2 of a mile north of Route 39076 thence northeasterly in Upper Sancon Township to the Salisbury Township line in Lehigh County a distance of about 0.5 of a mile

Luzerne County

Route 40130 Beginning at a point on Route 40052 approximately 0.7 miles east of the Kingston-Exeter Township line thence southeasterly and southwesterly in Exeter Township to the Exeter Borough line in Luzerne County a distance of about 1.55 miles

Route 40131 Beginning at the intersection of Routes 11 and 40053 thence easterly in Dallas Township to Route 40054 in Luzerne County a distance of about 1.8 miles

Lycoming County

Route 41133 Beginning at a point on Route 41044 about 2.4 miles north of Route 41046 thence northwesterly through Loyalsock and Eldred Townships to a point on Route 41045 south of Quaker Hill and from a point on Route 41045 north of Quaker Hill northerly through Eldred Township to Route 41044 about 0.25 of a mile southeast of North Eldred School in Lycoming County a distance of about 4.4 miles

Route 41134 Beginning at a point on Route 41091 about 0.5 of a mile west of Route 41028 thence in a northwesterly direction through Woodward and Anthony Townships about .9 of a mile thence in a westerly direction to Route 41026 about 0.75 of a mile from the Woodward Township line in Lycoming County a Distance of about 1.60 miles

Route 41135 Beginning at a point on Route 41091 about 1.15 miles from Route 41026 thence in a northwesterly direction to a point on Route 41134 in Lycoming County a distance of about 0.7 of a mile .

Route 41136 Beginning at a point on Route 18 about .35 of a mile east of the intersection of Routes 18 and 41045 thence in a northerly direction through Loyalsock Township over Tinsman Avenue to an intersection with Lincoln Avenue Lycoming County a distance of about .52 of a mile

Route 41137 Beginning at a point on Route 41046 about 0.16 of a mile east of the intersection of Routes 41045 and 41046 thence in a northeasterly direction through Loyalsock Township to an intersection with Route 41133 in Lycoming County a distance of about 3.4 miles

Route 41138 Beginning at a point on Route 353 in the village of Brookside thence in a northwesterly direction to the Cogan House-Pine Township line thence through Pine Township in a northwesterly direction to a point on Route 106 about 2 miles northwest of the village of Brookside in Lycoming County a distance of about 2.0 miles

Route 41139 Beginning at a point on the eastern Muncy Borough line at Penn Street thence northeasterly through Muncy Creek Township to Route 41121 in Lycoming County a distance of about 0.2 of a mile

Route 41140 Beginning at a point on Route 41061 about .5 of a mile northeast of Route 41054 thence in an easterly direction to a point on Route 41095 about 0.5 of a mile south of Lime Bluff in Muncy Creek Township Lycoming County a distance of about 1.3 miles

Route 41141 Beginning at a point on Route 41123 about 0.3 of a mile northwest of Application 12 thence westerly in Loyalsock Township to Ohev Sholem Cemetery in Lycoming County a distancec of about 0.1 of a mile

Mercer County

Rute 43017 Beginning at a point on the south line of Mercer Borough just west of Route 43017 thence southerly in East Lackawannock Township to the village of Hope Mills in Mercer County a distance of about 2.1 miles

Mifflin County

Route 44037 Beginning at a point on Route 44029 about 0.2 of a mile north of Lewistown Borough thence northwesterly in Derry Township via Kline School to the Burnham Borough line in Mifflin County a distance of about 0.9 of a mile

Monroe County

Route 45084 Beginning at a point on the East Stroudsburg Borough line at King Street thence northerly in Stroud Township to a point on Route 45060 in Monroe County a distance of about 0.1 of a mile

Northampton County

Route 46098 Beginning at a point on Route 48067 near its intersection with Route 48048 thence easterly in East Allen and Hanover Townships to a point on Route 48046 in Northampton County a distance of about 1.2 miles

Northumberland County

Route 49112 Beginning at a point on Route 49007 about 0.1 of a mile east of the Dauphin-Northumberland County line thence northerly and westerly through Jordan and Lower Mahanoy Townships to a point on Route 336 near Route 49003 in Northumberland County a distance of about 2.5 miles

Route 49113 Beginning at a point on Route 336 about 0.1 of a mile south of Mahantango Creek thence easterly through Little Mahanoy Township to the intersection with Route 49013 about 0.2 of a mile southeast of Hunters Station in Northumberland County a distance of about 2.6 miles

Route 49114 Beginning at a point on Route 49022 about 3.0 miles west of Augustaville thence south through Lower Augusta Township to its intersection with Route 49023 in Northumberland County a distance of about 1.6 miles

Route 49115 Beginning at a point on Route 49023 near Resler thence northeasterly through Lower Augusta and Rockefeller Township to the intersection of Route 49022 about 0.1 mile west of Augustaville in Northumberland County a distance of about 2.10 miles

Route 49116 Beginning at a point on Route 161 near Stonington thence in a general northeasterly direction to a road intersection about one-half mile south of Deibler thence easterly thorugh Shamokin and Ralpho Townships to a point on Route 283 near Shamrock in Northumberland County a distance of abuot 5.9 miles

Route 49117 Beginning at a point on Route 182 in South Danville thence westerly in Gearhart Township on D & H Avenue to the Riverside Borough line in Northumberland County a distance of about 0.5 of a mile

Route 49118 Beginning at a point on Route 49053 about 0.4 miles east of its intersection of State Highway Route 18 thence in a southeasterly direction through West Chillisquaque Township for a distance of about 1.8 miles thence in a northerly direction to an intersection with Route 49055 in Northumberland County a distance of about 2.2 miles

Route 49119 Beginning at a point on Route 49064 at its intersection with Application 359 in the village of Springtown thence in a southwesterly direction through Delaware Township to its intersection with Route 49098 and Route 49061 in Northumberland County a distance of about 1.10 miles

Route 49120 Beginning at a point on the Schuylkill-Northumberland County line Route 53085 thence in a

general northerly direction through upper Mahanoy Township to a point on Route 49010 in the village of Lock Kill in Northumberland County a distance of about 3.1 miles

Schuylkill County

Route 53107 Beginning at a point on Route 53094 near the east line of Gordon Borough thence in an easterly direction through Butler Township to a point on Route 893 about 1.2 miles southeast of Fountain Springs in Schuylkill County a distance of about 1.1 miles

Route 53108 Beginning at a point on Route 199 about 0.7 miles west of Tower City thence in a westerly direction through Porter Township to the Dauphin County line in Schuylkill County a distance of about 0.5 of a mile

Route 53109 Beginning at a point on Route 53069 about 0.6 mile southwest of Nuremberg thence in a westerly and southwesterly direction through North Union Township to a point on Route 53091 near the Columbia County line in Schuylkill County a distance of about 3.5 miles

Route 53110 Beginning at a point on Route 53066 near the Union-East Union Township line thence in a southerly and southwesterly direction through Union Township to a point on Route 755 about 1.5 miles southwest of Erbs in Schuylkill County a distance of about 2.9 miles

Route 53111 Beginning at a point on Route 53086 about 0.9 mile south of Ashland thence in a southwesterly direction to Barry Station thence in a westerly and northerly direction through Butler and Barry Townships to a point on Route 53083 about 0.2 of a mile east of Lavelle in Schuylkill County a distance of about 3.2 miles

Route 53112 Beginning on Route 53063 about 0.5 of a mile north of the Lehigh Valley Railroad thence northwesterly through Mahanoy East Union and Union Townships to Route 53042 about 1.0 mile east of Krebs in Schuylkill County a distance of about 2.5 miles

Snyder County

Route 54065 Beginning at a point on Route 25 about 0.2 of a mile east of the Penn-Middlecreek Township line thence in a southerly and southeasterly direction through Penn Township to a point on Route 54041 near Kantz in Snyder County a distance of about 3.10 miles

Route 54066 Beginning at a point on Route 28 at the McClure Union Cemetery thence in a westerly direction through West Beaver Township to a point on the Snyder-Mifflin County line in Snyder County a distance of about 1.30 miles

Somerset County

Route 55156 Beginning at Route 119 about 0.75 of a mile northwest of Route 55077 thence in a southwesterly direction in Quemahoning Township to a point on the northwest borough line of Stoyestown in Somerset County a distance of about 0.5 of a mile

Route 55157 Beginning on the south side of Route 50 between Somerfield and Addison thence in an easterly direction in Addison Township to the western borough line of Addison in Somerset County a distance of about 1.0 miles

Sullivan County

Route 56043 Beginning at a point on Route 321 at the intersection of Route 56005 Spur E thence easterly through Shewsbury Township to a point on the Eagles Mere Borough line in Sullivan County a distance of about .4 of a mile

Route 56044 Beginning at a point on Route 19 in the village of Sonestown thence northerly through Davidson Township to a point on the north side of Big Run creek in Sullivan County a distance of about 1.3 miles

Route 56045 Beginning at a point on Route 610 about .2 of a mile east of Shunk thence southeasterly about 1.2 miles thence northeasterly through Fox Township to a point on Route 610 about .1 of a mile west of the intersection of Route 56032 in Sullivan County a distance of about 2.4 miles

Susquehanna County

Route 57137 Beginning at a point on Route 468 in Apolacon Township thence in a southeasterly direction to Route 944 in Susquehanna County a distance of about 0.5 of a mile

Route 57138 Beginning at a point on Route 57080 just east of the Forest Lake Township line thence northeasterly in Bridgewater Township to Route 842 just south of the Silver Lake Township line in Susquehanna County a distance of about 1.6 miles

Route 57139 Beginning at a point on Route 57044 about 0.3 of a mile northeast of its intersection with Route 57045 thence northwesterly and northeasterly through Clifford and Gibson Townships via Palma to Route 945 about 0.3 of a mile southeast of Route 365 in Susquehanna County a distance of about 5.30 miles

Route 57140 Beginning at a point on Route 57122 about 0.60 of a mile southeast of its intersection with Route 57034 thence easterly northeasterly and southeasterly in Lenox Township to Route 57035 about 0.3 of a mile south of its intersection with Route 941 in Susquehanna County a distance of about 1.5 miles

Route 57141 Beginning at a point on Route 57095 near the Dimock Township line thence southeasterly in Brooklyn Township to Route 57020 just north of the Lathrop Township line in Susquehanna County a distance of about 0.5 of a mile

Route 57142 Beginning at a point on Route 57108 about 0.25 of a mile west of Route 939 thence southwesterly in Brooklyn Township to Route 57095 about 1.5 miles west of Route 939 in Susquehanna County a distance of about 0.9 of a mile

Route 57143 Beginning on Route 9-Spur about 0.5 of a mile north of the Lathrop Township line thence in a northeasterly and northwesterly direction in Brooklyn Township to Route 944 in Susquehanna County a distance of about 2 miles

Route 57144 Beginning at a point on Route 57135 about 1.6 miles southwest of Route 174 thence southwesterly in Lenox Township to Route 57036 in Susquehanna County a distance of about 0.6 of a mile

Tioga County

Route 58166 Beginning at a point on Route 58008 about 2.33 miles north of its intersection with Route 103 thence in a northwesterly and westerly direction through Brookfield Township to a point on Route 5807 about 0.65 of a mile south of its intersection with Route 58009 in Tioga County a distance of about 3.1 miles

Route 58117 Beginning at a point on Route 58042 about 0.42 of a mile east of Charleston thence in an easterly direction through Charleston Township crossing Route 58044 to a point on Route 21 about 0.67 of a mile east of Ashley's Corners in Tioga County a distance of about 2.4 miles

Route 58118 Beginning at a point on Route 212 about 0.5 of a mile west of Route 58086 thence in a northerly direction through Sullivan Township to a point on Route 58062 about 0.1 of a mile west of Route 58067 in Tioga County a distance of about 1.0 mile

Route 58119 Beginning at a point on Route 103 about 0.12 of a mile west of intersection of Route 58050 thence in a southwesterly direction through Nelson and Farmington Township in Tioga County for a distance of 3.0 miles

Route 58120 Beginning at a point on Route 58038 about 1.0 mile west of Route 58040 thence in a northerly and northwesterly direction through Charleston Township to a point on Route 21 about 1.0 mile northeast of Route 58038 in Tioga County a distance of about 1.3 miles

Route 58121 Beginning at a point on Route 58038 about 1.9 miles south of Route 58040 thence in a westerly and northerly direction through Charleston Township to a point on Route 58038 about 0.75 of a mile west of Route 58040 in Tioga County a distance of about 2.2 miles

Venango County

Route 60076 Beginning at a point on Route 581 about one mile north of Rockland thence westerly in Rockland

Township to the village of Coal City in Venango County a distance of about 4.4 miles

Warren County

Route 61064 Beginning at the eastern terminus of Route 88 Spur in the village of Columbus thence easterly in Columbus Township to a point on Route 61018 in Warren County a distance of about 2.4 miles

Washington County

Route 62199 Beginning at a point on Route 62142 about one-half mile north of Burnsville thence in a northeasterly direction through west Finley Township to a point on Route 62137 near Good Intent in Washington County a distance of about 3.00 miles

Route 62200 Beginning at a point on Route 519 thence in a northerly direction through West Pike Run Township to the intersection of Routes 62016 and 62093 in Washington County a distance of about 1.0 miles

Route 62201 Beginning near the intersection of Routes 62107 and 62127 thence in an easterly direction through Buffalo and Canton Townships to a point on Route 62159 approximately 0.5 mile from the Washington City line in Washington County a distance of about 2.7 miles

Westmoreland County

Route 64262 Beginning at a point on Route 64039 about one mile east of Route 64053 thence northerly in Derry Township to a point on Route 64057 about .75 of a mile south of Route 68 in Westmoreland County a distance of about 2 miles

Route 64263 Beginning at a point on the southeast line of Derry Borough thence in a general easterly direction through Derry Ligonier and Fairfield Townships to a point on Route 64237 near Route 64156 in Westmoreland County a distance of about 7.2 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally

The yeas and nays were takn agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted " aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 958, as follows:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" and its amendments are hereby deleted as indicated or amended to read as follows

[Beginning at the intersection of Second Street and Booth Street thence northerly on Booth Street to the intersection of Booth and Ninth Streets in the city of Chester Delaware County a distance of about 0.4 of a mile]

[Beginning at a point on the Upland Borough-Chester City line thence southerly along the Chester City-Chester Township line to an intersection with Concord Avenue on the Chester City-Chester Township line a distance of about 0.20 of a mile]

Section 2 Said act is hereby further amended by adding thereto the following new routes

Beginning at the intersection of Seventh Street and Fourth Avenue thence over Seventh Street Third Avenue and Eleventh Street to the intersection of Eleventh Street and Fourth Avenue in the city of New Kensington a distance of about 0.5 of a mile

Beginning at the intersection of South Irvin Avenue

and Budd Street thence over Budd Street to the intersection of Budd and South Dock Streets in the city of Sharon Mercer County a distance of about .6 of a mile

Beginning at the intersection of State Street and South Irvin Avenue thence westerly on State Street to the Ohio State line in the city of Sharon Mercer County a distance of about .3 of a mile

Beginning at the North Union Township-Uniontown City line at Gallatin Street thence southwesterly on Gallatin Street to the intersection of Gallatin and Fayette Streets in the city of Uniontown Fayette County a distance of about 1.0 mile

Section 3 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 959, as follows:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities person associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 345) are hereby further amended to read as follows

Section 2 The city streets to be taken over under the provisions of this act in the cities hereinbefore named shall be designated by numbers to be hereafter assigned by the Secretary of Highways and are situated and described as follows

In the City of Philadelphia

Section 2 Section two of said act as so amended is hereby further amended by adding thereto the following new routes

Beginning at the intersection of Grant and Frankford Avenues thence northwesterly over Grant Avenue to the intersection of Grant and Bustleton Avenues a distance of about three miles

Section 3 This act shall become effective on the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 977, on third reading, entitled:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 986, as follows:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original member by the retirement board for each year of prior service as a State employe as defined in section one paragraphs six and thirteen of this act As soon as practicable after each original member shall have joined the retirement association the retirement board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the retirement board either upon application by the member or upon its own initiative The time during which a State employe is absent without pay shall not be counted in computing the service or the average salary of a contributor In the case of a contributor who has at any time prior to his becoming a State employe been a member of the General Assembly of this Commonwealth the period of his service as such member shall be included in computing the period of service of such contributor provided he shall have paid to the retirement association in a lump sum or through regular payroll deductions a sum equal to all the back payments which he would have made if a member of the retirement association during such entire period

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Margie,	Troutman,
Bowers,	Haluska,	McCreesh,	Wade,
Carr,	Heyburn,	McGinnis,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Coleman,	James,	Ruth,	Wilson,
Cox,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Tallman,
Dent,	Kephart,	Stevenson,	Presiding Officer

NAYS—4

Crider,	Ealy,	Mallery,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1001, as follows:

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administra-

tive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In so far as it relates to the Department of Public Instruction section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 443) and by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 496) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction

State Council of Education also designated as State Board of Vocational Education also designated as the State Board of Vocational Rehabilitation
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions

* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article thirteen of said act is hereby amended by adding between sections one thousand three hundred seven and one thousand three hundred eight thereof a new section to read as follows

Section 1307.1 State Board of Vocational Education The State Board of Vocational Education acting as the State Board of Vocational Rehabilitation in the administration of vocational rehabilitation shall have the power and its duty shall be

(a) To administer the expenditure of funds made available by the government of the United States for vocational rehabilitation

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(c) To administer the laws of the Commonwealth providing for vocational rehabilitation

Section 3 Section two thousand two hundred nine of said act is hereby repealed

Section 4 All persons employed by the Department of Labor and Industry in administering the laws relating to vocational rehabilitation on the effective date of this act are hereby transferred to and shall become employes of the State Board of Vocational Rehabilitation in the Department of Public Instruction and shall be assigned to the Board of Vocational Rehabilitation to continue the administration of said laws The status of every such person under any law or regulation providing for civil service shall not be affected by such transfer The Department of Public Instruction shall make similar provisions therefor

All files records and equipment of the Department of Labor and Industry pertaining to the administration of the laws relating to vocational rehabilitation shall be transferred to the Board of Vocational Education designated as the State Board of Vocational Rehabilitation in the Department of Public Instruction

Section 5 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1002, as follows:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Vocational Rehabilitation Act of one thousand nine hundred forty-five"

Section 2 Definitions As used in this act

(1) "State board" means the members of the State Council of Education and the Secretary of Labor and Industry who shall constitute the State Board of Vocational Education and which Board is also designated as the State Board of Vocational Rehabilitation

(2) "Employment handicap" means a physical or mental condition which constitutes contributes to or if not corrected will probably result in an obstruction to professional or occupational performance

(3) "Disabled individual" means any person who has a substantial employment handicap

(4) "Vocational rehabilitation" and "vocational rehabilitation services" mean any services provided directly or through public or private instrumentalities found to be necessary to compensate a disabled individual for his employment handicap and to enable him to engage in a remunerative occupation or profession including but not limited to medical and vocational diagnosis vocational guidance counseling and placement rehabilitation training or instruction physical restoration transportation occupational licenses occupational tools equipment and supplies maintenance and training books supplies and materials

(5) "Rehabilitation training or instruction" means all necessary training or instruction provided to a disabled individual to compensate for his employment handicap including but not limited to manual pre-conditioning prevocational vocational and supplementary training or instruction and training or instruction provided for the purpose of achieving broader or more remunerative skills and capacities

(6) "Physical restoration" means any medical surgical or therapeutic treatment necessary to correct or substantially reduce a disabled individual's employment handicap within a reasonable length of time including but not limited to medical psychiatric dental and surgical treatment nursing services hospital and convalescent home care drugs medical and surgical supplies and prosthetic appliances but excluding curative treatment for acute or transitory conditions

(7) "Prosthetic appliance" means any artificial device necessary to support or take the place of a part of the body or to increase the acuity of a sense organ

(8) "Occupational licenses" means any license permit or other written authority required by any governmental unit to be obtained in order to engage in an occupation

(9) "Maintenance" means money payments necessary to meet living requirements during vocational rehabilitation

(10) "Occupational tools equipment and supplies" means such customary implements appliances apparatus fixtures and materials necessary in the particular case for the successful prosecution of the disabled individual's employment objective

(11) "Severely handicapped individual" means a disabled individual for whom it is found that because of the nature of his disabilities participation in competitive employment will not be practicable even after provision of vocational rehabilitation services

(12) "Regulations" means regulations made by the State board

Section 3 Regulations In carrying out its duties under this act the State board subject to the approval of the Executive Board of the Commonwealth when required by law shall make regulations governing personnel standards the protection of records and confidential information the manner and form of filing applications eligibility and investigation and determination thereof for vocational rehabilitation services procedures for fair hearings and such other regulations as it finds necessary to carry out the purposes of this act

Section 4 Administration Except as otherwise provided by State law with respect to vocational rehabilitation of the blind the State board shall provide vocational rehabilitation services to disabled individuals determined to be eligible therefor and in carrying out the purposes of this act the State board is authorized among other things

(1) To cooperate with other departments agencies and institutions both public and private in providing for the vocational rehabilitation of disabled individuals in studying the problems involved therein and in establishing developing and providing in conformity with the purposes of this act such programs facilities and services as may be necesary or desirable

(2) To enter into reciprocal agreements with other states to provide for the vocational rehabilitation of residents of the states concerned

(3) To conduct research and compile statistics relating to the vocational rehabilitation of disabled individuals

(4) To administer the expenditure of funds made available by the government of the United States for vocational rehabilitation

(5) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(6) To administer the laws of the Commonwealth providing for vocational rehabilitation

The Secretary of Labor and Industry shall be chief executive officer for vocational rehabilitation of the State Board of Vocational Education

All persons employed by the Department of Labor and Industry and the Department of Public Instruction in administering the laws relating to vocational rehabilitation on the effective date of this act are hereby transferred to and shall become employes of the State Board of Vocational Rehabilitation in the Department of Labor and Industry and shall be assigned to the Board of Vocational Rehabilitation to continue the administration of said laws The status of every such person under any law or regulation providing for civil service shall not be affected by such transfer

All files records and equipment of the Department of

Labor and Industry and Department of Public Instruction pertaining to the administration of the laws relating to vocational rehabilitation shall become the property of the State Board of Vocational Education designated as the State Board of Vocational Rehabilitation

Section 5 Cooperation with Federal Government The State board shall cooperate pursuant to agreements with the Federal government in carrying out the purposes of any Federal statues pertaining to vocational rehabilitation and is authorized to adopt such methods of administration as are found by the Federal government to be necessary for the proper and efficient opeartion of such agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such Federal statutes

Section 6 Receipts and Disbursement of Vocational Rehabilitation Funds The State Treasurer is hereby designated as the custodian of all funds received from the Federal government for the purpose of carrying out any Federal statutes pertaining to vocational rehabilitation The State Treasurer shall make disbursements from such funds and from all State funds available for vocational rehabilitation purposes in accordance with law

Section 7 Eligibility for Vocational Rehabilitation Vocational rehabilitation services shall be provided to any disabled individual (1) who is a resident of the State at the time of filing his application therefor and whose vocational rehabilitation the State board determines after full investigation can be satisfactorily achieved or (2) who is eligible therefor under the terms of a reciprocal agreement with another state or with the Federal government Provided That except as otherwise provided by law or as specified in any agreement with the Federal government with respect to classes of individuals certified to the State board thereunder the following rehabilitation services shall be provided at public cost only to disabled individuals found to required financial assistance with respect thereto

(1) Physical restoration

(2) Transportation not provided to determine the eligibility of the individual for vocational rehabilitation services and the nature and extent of the services necessary

(3) Occupational licenses

(4) Occupational tools equipment and supplies

(5) Maintenance

Section 8 Maintenance not Assignable No right of a disabled individual under this act shall be transferable or assignable at law or in equity

Section 9 Hearings Any individual applying for or receiving vocational rehabilitation who is aggrieved by any action or inaction of any officer or agent of the State board shall be entitled in accordance with regulations to a fair hearing by the State board

Section 10 Misuse of Vocational Rehabilitation Lists and Records It shall be unlawful except for purposes directly connected with the administration of the vocational rehabilitation program and in accordance with regulations for any person or persons to solicit disclose receive or make use of or authorize knowingly permit participate in or acquiesce in the use of any list of or names of or any information concerning persons applying for or receiving vocational rehabilitation directly or indircely derived from the records papers files or communications of the State or subdivisions or agencies thereof or acquired in the course of the performance of official duties Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 11 Limitation on Political Activity No officer or employe engaged in the administration of the vocational rehabilitation program shall use his official authority or influence or permit the use of the vocational rehabilitation program for the purpose of interfering with an election or affecting the results thereof or for any partisan political purpose No such officer or employer shall take any active part in the management of political campaigns or participate in any political activity except that he shall retain the right to vote as he may please and to express his opinions as a citizen on all subjects No such officer or employe shall solicit or receive nor shall any such officer or employe be obliged to contribute or render any service assistance subscription assessment or contribution for any political purpose Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 12 Repeals The act approved the eighteenth day of July one thousand nine hundred nineteen (P. L. 1045) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" and the act approved the second day of March one thousand nine hundred twenty-one (P. L. 12) entitled "An act relating to vocational rehabilitation accepting to provisions and benefit of the act of Congress approved the second day of June one thousand nine hundred and twenty entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment' providing for the rehabilitation of disabled persons and their return to civil employment and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" are hereby repealed

Section 13 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 14 Effective Date The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1011, as follows:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2687) entitled "An act authorizing the Secretary of Property

and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect office buildings and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease" removing the authorization to contract for the erection of buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2687) entitled "An act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect office buildings and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease" is hereby amended to read as follows

Section 1 Be it enacted &c That the Secretary of Property and Supplies with the approval of the Governor shall have power to enter into contract with any person firm or corporation which shall agree to [erect] lease within the city of Pittsburgh or the county of Allegheny or within the city of Philadelphia or county of Philadelphia at a location suitable to the Governor and the Secretary of Property and Supplies a suitable office building in each of the respective counties above mentioned for the use of agencies of the Commonwealth and to agree on behalf of the Commonwealth of Pennsylvania to lease said building for a period of not more than thirty years [from the time of the completion thereof] at such rental and subject to such terms and conditions as may be agreed upon [No] and any such contract shall [be entered into until the plans and specifications for such proposed building shall have been approved by the Department of Property and Supplies Any such contract shall] provide that upon the termination of said thirty year lease the building so [constructed] leased and the ground [upon] on which the [same] property is situated shall become the property of the Commonwealth and any such lease shall provide that at any time during the period of said lease the Commonwealth is empowered to accept title in fee simple to any such land and building under said lease provided that no additional moneys are paid in consideration for the said deed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, I desire to interrogate the sponsor of House Bill 1011.

Mr. WALKER. In that event the gentleman from Philadelphia will have to run for election as a member of the House, as this is a House bill.

Mr. STIEFEL. I understood it has been the custom in the Senate that one of the Senators knows all about a measure and is in a position to explain to the members of the Senate the purpose of such a bill. Somebody must be sponsor of a bill in the Senate, even though it is a House measure.

Mr. WALKER. Mr. President, if the gentleman from Philadelphia will permit me to substitute for the very learned gentleman in the House who is the official sponsor of the bill, I will try to answer whatever question the gentleman from Philadelphia has in mind on this particular piece of legislation.

Mr. STIEFEL. Mr. President, I want to know what the purpose of this measure is.

Mr. WALKER. Mr. President, the only thing I can do to answer the question of the gentleman from Philadelphia is to read the amended portion of the bill, which is very short and very specific. It gives the right to the Commonwealth to lease in the city of Pittsburgh or in the city of Philadelphia a building or property for not more than a thirty year term and it also gives to the Department of Property and Supplies, which acts as the agent of the Commonwealth in such transactions, the right to include in the lease the fact that at the end of the lease period the Commonwealth is empowered to accept title in fee simple to any such land and building under said lease, provided that no additional moneys are paid in consideration for the said deed, and that the rental money so paid under the contract would be the purchase price of the land and no additional consideration need be paid to consummate the transaction.

Mr. STIEFEL. Mr. President, I desire to further interrogate the gentleman from Allegheny.

The PRESIDING OFFICER. Will the gentleman from Allegheny permit himself to be further interrogated.

Mr. WALKER. I will, Mr. President.

Mr. STIEFEL. Why at this time have they suddenly decided to abandon the erection of buildings by the Commonwealth in Philadelphia and Pittsburgh and in lieu thereof desire to lease buildings.

Mr. WALKER. I do not so understand, Mr. President, at least I have not been notified that the Commonwealth has abandoned any plans to build buildings in the city of Pittsburgh or in the city of Philadelphia. The measure to which the gentleman refers, I think has already passed the Senate and the House and therefore should be on the Governor's desk.

This measure is intended as an additional measure to give them the right to purchase a building outright on a long term lease contract. I think that is a sound way to do business because it will concentrate within the new building erected, or the building which is leased, all of those government offices which are scattered all over the city of Pittsburgh, and I assume all over the city of Philadelphia.

Mr. STIEFEL. Mr. President, I am thankful to Senator Walker for his explanation but I am still puzzled by this change. We are now on the threshhold of the post-war period, which will require employment, and I can hardly understand why there should be this provision which removes the authorization of contracting for the erection of buildings in the city of Philadelphia and the city of Pittsburgh.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 658

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendment non-concurred in by the Senate to Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis: requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

and has appointed Messrs. DAVID P. REESE, JR., McDOWELL and COHEN as a Committee of Conference to confer with similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 658

The PRESIDING OFFICER. The Chair announces that the President pro tempore appoints Messrs. BERGER, LETZLER and KLEIN as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (previously appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 658.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 44 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1088, as follows:

An Act to amend section six hundred two point one of article six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the sale of land or any interest therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred two point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the eleventh day of May one thousand nine hundred thirty-nine (P. L. 117) is hereby amended to read as follows

Section 602.1 The board of school directors of any district is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings by any of the following methods and subject to the following provisions

(a) By public auction conducted by a licensed auctioneer either on the premises to be sold or at places selected by the school boards after due notice by publication in one or more newspapers of general circulation published within the county or the school district and in the legal newspaper in said county if any once a week for three successive weeks before the date fixed for said sales and by hand bills one or more of which must be posted on the property proposed to be sold and at least five of which must be posted at conspicuous places within the vicinity of said real estate terms and conditions

of said sale to be fixed by the board in the motion or resolution authorizing said sales

(b) Upon sealed bids requested by the school board notice of the request for sealed bids to be given as in (a) terms and conditions of said sale to be fixed by the board in the motion or resolution authorizing the request for sealed bids

(c) At private sale subject to the approval of the court of common pleas of the county in which the school district is located said authority to be secured from said court upon petition of the board of school directors which petition shall be executed by the proper officers of the board and which petition shall contain a full and complete description of the land proposed to be sold a brief description and character of the building or buildings erected thereon if any the name of the prospective purchaser the amount offered for said property and it shall have attached thereto an affidavit of at least two persons who are familiar with the values of real estate in the locality in which the land and buildings proposed to be sold are located to the effect that they have examined said property that the price offered therefor is a fair and reasonable one and in their opinion a better price than could be obtained at public sale and that they are not interested either directly or indirectly in the purchase or sale thereof that before the court may act upon said petition it shall fix a time for the hearing of said petition and direct that public notice thereof be given as provided in clause (a) Also a return of sale be made to said court after the sale has been consummated and the deed executed and delivered

(d) In the case of land or any interest therein acquired by a school district of the first class at any sale on a tax or municipal claim or on a bid submitted at any judicial sale where the school district has an interest arising out of unpaid taxes against the premises being sold or by voluntary conveyance in payment of taxes the land so acquired may be sold by the school district of the first class at public or private sale pursuant to a resolution of the board of public education of such school district without advertisement and without further proceedings or confirmation by the court

[(d)] (e) The board of school directors may at their discretion when selling [property as authorized in (a) (b) and (c)] real estate sell and convey [said properties] such real estate to the purchasers for the accepted consideration payable partly in cash and partly in the form of a purchase money mortgage (and bond) to be paid in not more than five years from the date thereof and bearing interest at the rate of not less than five per centum said mortgage and bond to contain the customary provisions having to do with fire insurance and the payment of taxes water rents and assessments by the mortgagor and obligor

[(e)] (f) The board of school directors when selling property at private sale [as authorized in (c)] may engage the services of licensed real estate brokers to secure prospective purchasers and pay them the customary real estate agents' commission charged within the various school districts but only in the event the sales be actually consummated by said brokers

[(f)] (g) The moneys derived from [said] sales of real estate enumerated in paragraph (d) above shall be paid into the general fund along with moneys derived from taxes and may be used for current expenses of the school district The moneys derived from sales of other real estate shall be [paid into the general fund of the said school districts debt service payments should the school districts have bonded indebtedness or for the purpose of capital outlay] used for debt service or for capital expenditures

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Walker,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring.
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1089, as follows:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All real estate heretofore or hereafter acquired by the Commonwealth or any agency thereof which is used for any purpose other than State purposes or for the use benefit or welfare of the public shall on and after the first day of January one thousand nine hundred forty-six be subject to all taxes to which such real estate would be subject if held under private ownership Such taxes shall be payable by the Commonwealth or the proper agency thereof to the various political subdivision entitled thereto

Section 2 Each collector of taxes for any political subdivision whose duty it is to collect taxes assessed and levied against any real estate owned by the Commonwealth and made taxable under this act shall mail a statement of such taxes to the Auditor General who shall prepare requisitions therefor and the amount thereof shall be paid to such tax collector in the usual manner The tax assessed and levied against any real estate owned by any agency of the Commonwealth shall be collected from such agency

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring.

Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1130, as follows:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in city housing projects in redevelopment areas as herein defined either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) as last amended by the act approved the twelfth day of May one thousand nine hundred thirty-nine (P. L. 131) is hereby further amended to read as follows

Section 404 Investment of Capital and Reserve A sum equal to the capital and reserves of any stock or mutual life insurance company organized under the laws of this Commonwealth shall be invested as follows

(a) In such real estate or leaseholds as it is authorized by this act to purchase acquire receive or hold

(b) In bonds of the United States or District of Columbia or Canada or of any State or Territory of the United States and in farm loan bonds issued by Federal Land Banks

(c) In legally authorized bonds notes warrants or obligations of any city town county borough township municipality school district poor district or water sewer drainage road or other government district or division located in this Commonwealth or in any State of the United States

(d) In ground-rents and in loans upon unencumbered real estate in any State of the United States or the District of Columbia Provided That no loan shall exceed sixty-six and two-thirds per centum of the fair market value thereof at the time of such loan And provided further That the limitation herein prescribed in respect to the percentage of the fair market value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions for mutual mortgage insurance in title two of the National Housing Act for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages

(e) In debentures issued by the Federal Housing Administrator in settlement of claims for insurance pursuant to title two of the National Housing Act

(f) In securities of national mortgage associations or similar national mortgage credit institutions now or hereafter organized under title three of the National Housing Act

(g) In loans upon the security of its own policies not exceeding the net value of the policy at the time of making the loan

(h) In first encumbrances upon standard steam railroads street or interurban railways or upon their rolling stock equipment or of water gas or other public utility companies or bonds issued to retire a prior debt or bonds prior thereto or in other bonds or notes of the above named corporations upon which no default in interest exists at the time of purchase

(i) In bonds notes or other obligations of any corporation other than those mentioned in subsection (h) Provided That said corporation shall have earned in each of its three fiscal years next preceding the date of the investment an amount equal to one and one-half times the total interest on all of its debt Nothing in this section shall be construed as permitting the investment of any part of the capital and reserves of any stock or mutual life insurance company in the stock or stocks of any corporation other than corporations specified in subsection (a)

(j) In the capital stock of corporations organized under the laws of this Commonwealth the purpose and business of which is constructing operating or maintaining dwelling houses or housing projects for the purpose of rehabilitating redevelopment areas only For the purpose of this section "redevelopment area" shall mean only such areas which a planning commission may find to be blighted because of the existence of unsafe unsanitary inadequate or overcrowded condition of dwellings therein or because of inadequate planning of the area or excessive land coverage by the buildings thereon or the lack of proper light and air and open space or because of the defective design and arrangements of the buildings thereon or faulty street or lot layout or to economically or socially undesirable land uses of such nature as to be harmful to the social and economic well-being of the community in which they exist

The Insurance Commissioner may permit any company to invest sufficient of its capital and reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Nothing herein contained shall be so construed as to prevent any such company from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of any debt previously contracted

Section 2 Section four hundred five of said act is hereby amended to read as follows

Section 405 Investment of Surplus Restrictions Any money over and above the capital and reserves of any stock or mutual life insurance company may be invested in the securities enumerated in the preceding section or in the standard and listed stock or other evidence of indebtedness of any solvent dividend-paying corporation created under the laws of this Commonwealth or of any other State of the United States or loaned upon the pledge of the same except its own stock or the stock of any other insurance company transacting like classes of business The current market value of such securities shall at the time of making any loan be at least twenty per centum more than the sum loaned thereon

No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidences of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth of its capital shall be invested in a single mortgage Except as hereinafter provided [No] no such company shall hereafter invest or acquire directly or indirectly more than ten per centum of the capital stock of any corporation [nor] but in no case shall

more than ten per centum of its [capital and surplus] admitted assets be invested in the stock of any corporation Such companies may however invest in or acquire directly or indirectly the entire capital stock or any part thereof of any corporation organized under the laws of this Commonwealth or any other state the purpose and business of which is constructing operating or maintaining city dwelling houses or housing projects for the purpose of rehabilitating redevelopment areas only Provided That in no case shall more than ten per centum of its total admitted assets on the thirty-first day of December next preceding the date of such investment or acquisition be invested in the capital stock of such corporations and in real estate authorized in clause (d) of section four hundred six of this act and provided further that before any such investment is made such company shall first obtain from the Insurance Commissioner a certificate in the form prescribed by him of the amount available to any such company for such investment under the limitation herein prescribed No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers directors and trustees making or authorizing the same shall be personally liable for any loss occasioned thereby

For the purpose of this section "redevelopment area" shall mean only such areas which a planning commission may find to be blighted because of the existence of unsafe unsanitary inadequate or overcrowded condition of dwellings therein or because of inadequate planning of the area or excessive land coverage by the buildings thereon or the lack of proper light and air and open space or because of the defective design and arrangements of the buildings thereon or faulty street or lot layout or to economically or socially undesirable land uses of such nature as to be harmful to the social and economic well-being of the community in which they exist

Section 3 Section four hundred six of said act is hereby amended to read as follows

Section 406 Real Estate Which Companies May Purchase Hold and Convey The real estate which it shall be lawful for any stock or mutual life insurance company incorporated under the laws of this Commonwealth to purchase receive hold and convey shall be

(a) Such as shall be requisite for the transaction of its business

(b) Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings

(c) Such as shall be purchased at sales upon judgment decrees or mortgages obtained or made for debts due said company or for debts due other persons where said company may have liens or encumbrances on the same and the purchase is deemed necessary to save the company from loss Any real estate purchased received or acquired under clauses (b) and (c) of this section excepting that which with the approval of the Insurance Commissioner shall be put to the use described in clause (d) of this section which has been held for a period of more than five years from the date of its purchase receipt or acquisition shall be sold and disposed of within a period of six months after due notice to the company from the Insurance Commissioner to sell and convey the same The commissioner may extend the time for such disposition if he believes the interests of the company will suffer materially by a forced sale Provided That any such company heretofore organized having the power of receiving and executing trusts may take receive and hold all estates and property real and personal which may be granted committed transferred or conveyed to it with its consent upon any trust or trusts whatsoever at any time or times by any person persons body or bodies corporate or by any court of the United States or of this State and may administer fulfill and discharge the duties of such trusts

(d) Such as shall be purchased leased or owned for the purpose of rehabilitating redevelopment areas only in any State of the United States or in the District of Columbia in which such company is doing the business of life insurance by the development construction erection and maintenance of city housing apartment tenement or other city dwelling projects in "redevelopment areas" which for the purpose of this section shall be only such areas which a planning commission may find to be blighted because of the existence of unsafe unsanitary inadequate or overcrowded condition of the dwellings therein or because of inadequate planning of the area or excessive land coverage by the buildings thereon or the lack of proper light and air and open space or because of the defective design and arrangements of the buildings thereon or faulty street or lot layout or to economically or socially undesirable land uses of such nature as to be harmful to the social and economic well-being of the community in which they exist Such projects shall not include hotels but may include accommodations for retail stores shops offices and other community services reasonably incident to such projects Any such company may thereafter hold own maintain manage lease collect or receive income from the land so acquired and the improvements thereon and may sell or convey the land so acquired and the improvements thereon and may sell transfer and assign its interest in any leasehold owned or held by it hereunder and any improvements on the land so held by it under leasehold

No such purchase shall be made or leasehold acquired or development or construction commenced which would increase the aggregate stock and real estate investment by such company in all such city projects including the cost of the land or leasehold and the estimated cost of all improvements to be made thereon to an amount in excess of ten per centum of the total admitted assets of such company on the thirty-first day of December next preceding the date of such purchase lease or commencement of development or construction nor before such company shall have obtained from the Insurance Commissioner a certificate in the form prescribed by him of the amount available to any such company for such investment under the limitation herein prescribed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WADE. With apologies to the Chair and my colleagues, I beg your indulgence to permit me to make a brief statement on this bill, which is a part of a program, embodied in this particular bill and the following three, all of which are part of a very worthy program of slum clearance. As I understand it they have been endorsed by the administration.

Although slum clearance is a very worthy objective, and it may provide a good investment, life insurance and slum clearance are two separate and distinct things. So that I am not misunderstood I want to say that I am applying these remarks only to House Bill No. 1130, which is an amendment to the present life insurance investment law of the Commonwealth.

This bill as it came first into the Legislature provided that a life insurance company could go into the business of building and owning housing projects, of owning the stock of housing projects, a part of or all of a housing project, and with that I am not in accord, and I want to be consistent, because the Committee on Insurance, of which I am a member and chairman, refused an opportunity to

report to this floor a bill affecting the prudent investment law for life insurance in Pennsylvania.

I repeat that I am not in accord with life insurance companies going into competition with other industry. Their function is the carrying of protection and investment for their policy holders. Therefore, Mr. President, I am going to vote "no" on the bill we are now considering.

Mr. McGINNIS. Mr. President, any measure that ever appears in this Senate that will build more homes in the state of Pennsylvania, I am for it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Leader,	Stiefel,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Woodring,
Crider,	Jaspan,	Scarlett,	Woodward,
Crowe,	Jones,	Snowden,	Tallman,
Dent,	Kephart,	Stevenson,	Presiding Officer
DiSilvestro,	Klein,		

NAYS—4

Chapman,	Ealy,	Wade,	Wilson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1131, as follows:

An Act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be referred to as the "Redevelopment Cooperation Law"

Section 2 Finding and Declaration of Necessity It has been found and declared in the Urban Redevelopment Law that there exist in urban communities in this Commonwealth areas which have become blighted that such conditions are beyond remedy or control by regulatory processes and that the public interest requires the remedying of these conditions It is hereby found and declared that the assistance herein provided for the remedying of the conditions set forth in the Urban Redevelopment Law constitutes a public use and purpose and an essential governmental function for which public moneys may be spent and that the provisions hereinafter enacted are necessary in the public interest

Section 3 Definitions The following terms whenever used or referred to in this act shall have the following respective meanings unless a different meaning clearly appears from the context

(a) "Federal Government" shall mean the United States of America or any agency or instrumentality corporate or otherwise thereof

(b) "Redevelopment Authority" or "Authority" shall mean any redevelopment authority created pursuant to the Urban Redevelopment Law of this Commonwealth

(c) "Redevelopment" shall mean any work or undertaking of a redevelopment authority pursuant to the Urban Redevelopment Law

(d) "State Public Body" shall mean any city borough town township county municipal corporation other subdivision board commission housing authoriiy or public body of this Commonwealth

Section 4 Cooperation in Redevelopment For the purpose of aiding and cooperating in the operation of an authority and in the planning acquisition replanning and redevelopment activities of an authority the Commonwealth or any State public body may upon such terms with or without consideration as it may determine

(a) Dedicate sell convey or lease any of its property to a redevelopment authority

(b) Cause parks playgrounds recreational or community facilities or any other works which it is otherwise empowered to undertake to be furnished in or adjacent to any area selected for redevelopment

(c) Furnish dedicate close pave install grade regrade plan or replan streets roads roadways alleys sidewalks or other places which it is otherwise empowered to undertake

(d) Enter into agreements extending over any period with a redevelopment authority or with the Federal government respecting action to be taken by the Commonwealth or such State public body pursuant to any of the powers herein granted and

(e) Do any and all things necessary or convenient to aid and cooperate in the redevelopment undertaken by a redevelopment authority

(f) In connection with any public improvements made by the Commonwealth or a State public body in exercising the powers herein granted the Commonwealth or such State public body may incur the entire expense thereof

Section 5 Contracts for Payments to City Borough Town Township or County In connection with any redevelopment located wholly or partly within the area in which it is authorized to act any city borough town township or county may contract with a redevelopment authority or the Federal government with respect to any sums which the redevelopment authority or the Federal government may agree to pay during any year or period of years to such city borough town township or county for the improvements services and facilities to be provided by it for the benefit of said redevelopment or the persons occupying such area Provided however That the absence of a contract for such payments shall in no way relieve cities boroughs towns townships and counties from the duty to furnish for the benefit of said redevelopment and the persons occupying said area customary improvements and such services and facilities as cities boroughs towns townships and counties respectively usually furnish without a service fee

Section 6 Advances to Redevelopment Authority When any redevelopment authority which is created to operate within any city or county becomes authorized to transact business and exercise its powers the city council or the county commissioners as the case may be may make such appropriations to an authority out of any moneys in such city or county treasury not appropriated to some other purposes as is deemed necessary to assist an authority in carrying out its public purposes Any State public body located in whole or in part within the field of operation of a redevelopment authority shall have the power from time to time to lend or donate money to the authority

Section 7 Supplemental Nature of Act The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law

Section 8 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1132, as follows:

An Act to amend the title and sections 2 3 4 6 and 10 to repeal section 19 of and to add section 21.1 to the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation" by substituting the Department of Commerce for the Department of Health eliminating the honorarium for members of the board requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director enlarging the board's general powers and the plans to be filed therewith rescinding the provisions for selection and removal of the board's employes to transfer the board from the Department of Health to the Department of Commerce and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation" is hereby amended to read as follows

An Act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of [Health] Commerce providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing and redevedopment authorities and their members and employes cooperate with local officials and bodies and with the Federal government acquire property by eminent domain for limited dividend housing companies commerce actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services and generally to carry out the purposes of this act providing for the selection and compensation of the board's employes providing for appeals from its orders and making an appropriation

Section 2 Section two of the said act is hereby amended to read as follows

Section 2 Findings and Declaration of Policy It has been determined by the General Assembly of this Commonwealth and it is hereby declared as a matter of legislative finding that

(a) There exist in urban and rural communities within the various counties of this Commonwealth slums or unsafe unsanitary inadequate or overcrowded dwellings or a combination of these conditions accompanied and aggravated by an acute shortage of decent safe and sanitary dwellings within the financial reach of families of low income such conditions arising from overcrowding obsolete buildings lack of proper light air and sanitary facilities

(b) The above enumerated conditions both singly and in combination are prejudicial to the health and welfare of the people of this Commonwealth because they (1) encourage the spread of disease and impair public health and morals (2) increase the hazards of fires accidents and other calamities which result in loss of life and property (3) subject the moral standards of the young to influences which have permanent deleterious social effects (4) increase the violation of the criminal law of the Commonwealth so as to jeopardize the safety and wellbeing of the inhabitants thereof (5) necessitate the expenditure of vast sums of public moneys both by the Commonwealth and local governmental bodies for the purposes of crime prevention punishment and correction fire prevention public health service and relief

(c) The failure to remedy the acute dwelling shortage is directly related to the stagnation of business activity in the construction durable goods and allied industries which are conducted within this Commonwealth and the stagnation of which has produced serious and prolonged unemployment with all its injurious effect upon the health and welfare of the inhabitants of this Commonwealth

(d) Private industry alone has been and now is unable to overcome the obstacles which have prevented and are now preventing it from relieveing the shortage of

decent safe and sanitary dwellings for families of low income

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the health morals safety and welfare of the inhabitants thereof by providing for the creation of a State Board of Housing [for the purpose of supervising encouraging assisting and regulating any housing authorities limited dividend companies or other associations organizations bodies corporate or politic which may exist or be formed within the Commonwealth to ameliorate the conditions hereinabove described]

Section 3 Section three of the said act is hereby amended to read as follows

Section 3 Definitions The following words and phrases when used in this act shall have the meanings respectively ascribed to them in this section

1 "Actual Cost" shall mean cost of project or real property buildings and improvements in projects including charges for financing supervision and carrying charges during construction including interest on borrowed capital

2 "Areas of Bad Housing" shall mean areas where in the opinion of the State Board of Housing land is overcrowded or where the structural or unsanitary condition of unfit obsolete or deteriorated buildings have in the opinion of the board a tendency to endanger the health safety morals or general welfare of the public Such areas shall extend only to the limits of neighborhoods that might reasonably be deemed to be affected by these conditions but may include buildings not in themselves structurally unsafe or unsanitary

3 "Board" shall mean the State Board of Housing created by this act as a departmental administrative board within the Department of [Health] Commerce of the Commonwealth

4 "Housing Authority" or "Authority" shall mean any public housing authority created under that name by any act of Assembly of this State

5 "Housing Project" or "Project" shall mean any work or undertaking (1) to demolish clear or remove buildings from any area of bad housing or to adapt such area to public purposes including parks playgrounds swimming pools or other recreational or community purposes or (2) to provide decent safe and sanitary dwellings apartments or other living accommodations for persons of low income through new construction or reconditioning or repair of existing structures Such work or undertaking may include buildings land equipment facilities and real or personal property for necessary convenient or desirable appurtenances streets sewers water services parks site preparation gardening administrative community health recreational educational welfare or other purposes or (3) to accomplish a combination of the foregoing The term "Housing Project" or "Project" also may be applied to the planning of buildings and improvements and all other work in connection therewith

6 "Limited Dividend Housing Company" shall mean a company incorporated under or accepting the provisions of any Limited Dividend Housing Company Law

7 "Municipality" shall mean any county city borough or township

Section 4 Section four of the said act is hereby amended to read as follows

Section 4 State Board of Housing There is hereby created and established a State Board of Housing which shall be a departmental administrative board within the Department of [Health] Commerce and which shall be deemed subject to all the provisions of the Administrative Code of one thousand nine hundred and twenty-nine as amended which apply generally to departmental administrative boards The board shall consist of five citizens of the Commonwealth who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate Members of the board who are first appointed shall be designated by the Governor to serve for terms of one two three four and five years respectively from the date of their appointment Thereafter the term of office shall be for five years A member shall hold office until his successor has been appointed and has qualified A vacancy occurring during a term shall be filled only for the balance of the unexpired term Each appointee shall be qualified by training or experience to perform the duties of the board The members of the board shall be entitled to receive their traveling and other necessary expenses actually incurred in the performance of their public duties [plus an honorarium not more than five dollars per diem provided no greater sum than fifteen dollars shall be received by a member for any sequence of several days' continuous service] The board shall organize by the election of a chairman and secretary Three members shall constitute a quorum The board shall with the approval of the Secretary of Commerce appoint and fix the compensation of a full-time executive director who may act as secretary of the board but who shall not be a member of the board and who shall be technically qualified for the duties of his office The executive director shall be under the sole direction of the board [He shall receive a salary of six thousand dollars per annum] The board shall have power to select and fix the salaries of such additional employes as may be necessary for the performance of the duties and the exercise of the powers herein imposed or conferred upon the board

Section 5 Section six of the said act is hereby amended to read as follows

Section 6 General Powers and Duties of the Board The board shall (a) study housing conditions and needs throughout the Commonwealth [to determine areas wherein the conditions of bad housing enumerated in section 2 (a) of this act exist] (b) devise ways and means of eliminating [such] the conditions [in such areas] of bad housing enumerated in section 2 (a) of this act and of securing economies in the construction or renovation of dwellings so that a large number of safe and sanitary houses may become available [for families of low income] (c) collect and distribute information relating to housing to improved methods of construction planning and financing of housing to the administration of housing authorities and to the construction maintenance and operation of projects by such authorities (d) suggest and assist in the preparation of legislation relating to housing [authorities and their functions] housing conditions and needs building codes health and sanitation standards and to advise and assist municipalities in the formulation of ordinances relating thereto (e) exercise such jurisdiction and powers of supervision over housing authorities and their projects and limited dividend housing companies and their projects and redevelopment authorities and their projects as may be prescribed in this act and under existing law (f) encourage approve supervise and control the organization and operation of limited dividend housing companies (g) recommend or approve areas within municipalities which areas may be within adjacent to or separate and apart from designated areas of bad housing within which the development of housing projects by limited dividend housing companies may be undertaken (h) cooperate with local housing officials and planning commissions or similar bodies in cities and other municipalities [in the development of projects] and with the Federal government and its agencies and instrumentalities (i) [have jurisdiction over all limited dividend company housing projects] generallly do all things necessary and appropriate to carry out and effectuate the purposes of this act (j) from time to time make amend and repeal rules and regulations for carrying into effect the provisions of this act (k) conduct public hearings and thereafter issue such appropriate orders as may be permitted by law

Section 6 Section ten of the said act is hereby amended to read as follows

Section 10 Filing of Plans of Authorities or Limited Dividend Companies The board shall receive and preserve all information and papers which must be filed with it [in connection with any authority or limited divided company by the terms of the law] under existing law

The board shall require the filing with it of a copy of the plans of each proposed project of each authority or limited dividend company embodying the layout estimated costs and proposed method of financing Upon the filing of any such copy the board shall with reasonable promptness transmit to the authority or limited dividend company its criticisms and suggestions Any change made in the project shall be filed with the board by the authority or limited dividend company At any time upon request of the authority or limited dividend company the board shall submit to the authority or limited dividend company its criticisms and suggestions with reference to any change in a project of the authority or limited dividend company

Section 7 Section nineteen of the said act is hereby repealed

Section 8 The said act is hereby amended by addition thereto after section twenty-one a new section to read as follows

Section 21.1 The sum of seventy-five thousand dollars ($75,000) or as much thereof as may be necessary is hereby appropriated to the Department of Commerce for the use of the State Board of Housing for the two fiscal years ending on the thirty-first day of May one thousand nine hundred and forty-seven

Section 9 The State Board of Housing is hereby transferred from the Department of Health to the Department of Commerce and it shall hereafter be a departmental administrative board within the Department of Commerce

Section 10 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1133, as follows:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security there for restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Urban Redevelopment Law"

Section 2 Findings and Declaration of Policy It is hereby determined and declared as a matter of legislative finding

(a) That there exist in urban communities in this Commonwealth areas which have become blighted because of the unsafe unsanitary inadequate or overcrowded condition of the dwellings therein or because of inadequate planning of the area or excessive land coverage by the buildings thereon or the lack of proper light and air and open space or because of the defective design and arrangement of the buildings thereon or faulty street or lot layout or economically or socially undesirable land uses

(b) That such conditions or a combination of some or all of them have and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire communities in which they exist depreciating values therein reducing tax revenues and thereby depreciating further the general community-wide values

(c) That the foregoing conditions are beyond remedy or control by regulatory processes and cannot be effectively dealt with by private enterprise under existing law without the additional aids herein granted and that such conditions exist chiefly in areas which are so subdivided into small parcels and in divided ownerships that their assembly for purposes of clearance replanning and redevelopment is difficult and impossible without the effective public power of eminent domain

(d) That the acquisition and sound replanning and redevelopment of such areas in accordance with sound and approved plans for their redevelopment will promote the public health safety convenience and welfare

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the health safety and welfare of the inhabitants thereof by the creation of bodies corporate and politic to be known as Redevelopment Authorities which shall exist and operate for the public purposes of acquiring and replanning such areas and of holding or disposing of them in such manner that they shall become available for economically and socially sound redevelopment Such purposes are hereby declared to be public uses for which public money may be spent and private property may be acquired by the exercise of the power of eminent domain

Section 3 Definitions The following terms where used in this act shall have the following meanings except where the context clearly indicates a different meaning

(a) "Authority" or "Redevelopment Authority" A public body and a body corporate and politic created and organized in accordance with the provisions of this act

(b) "Bonds" Any bonds interim certificates notes debentures or other obligations of an Authority issued pursuant to this act

(c) "City" Any city of the first second second class A or third class "The city" shall mean the particular city for which a particular Authority is created

(d) "County" Any county of this Commonwealth other

than a county of the first class "The county" shall mean the particular county for which a particular Authority is created

(e) "Field of Operation" The area within the territorial boundaries of the city or county for which a particular Authority is created Provided however That the field of operation of any county authority shall not include a city having a redevelopment authority

(f) "Governing Body" In the case of a city the city council or other legislative body thereof and in the case of a county the board of county commissioners or other legislative body thereof

(g) "Government" Includes the State and Federal Governments or any subdivision agency or instrumentality corporate or otherwise of either of them

(h) "Municipality" Any county city borough or township

(i) "Obligee of the Authority" or "Obligee" Any bondholder trustee or trustees for any bondholders any lessor demising property to an Authority used in connection with a redevelopment project or any assignee or assignees of such lessor's interest or any part thereof and the Federal Government when it is a party to any contract with an Authority

(j) "Planning Commission" Any planning commission established by law for a municipality of this Commonwealth "The Planning Commission" shall mean the particular planning commission of the city or county in which a particular Authority operates Redevelopment authorities shall be submitted for planning commission in any city or county in which a planning commission does not exist

(k) "Real Property" Lands lands under water structures and any and all easements franchises and incorporeal hereditaments and every estate and right therein legal and equitable including terms for years and liens by way of judgment mortgage or otherwise

(l) "Redeveloper" Any individual partnership or public or private corporation that shall enter or propose to enter into a contact with an Authority for the redevelopment of an area under the provisions of this act

(m) "Redevelopment" The acquisition replanning clearance rehabilitation or rebuilding of an area for residential recreational commercial industrial or other purposes including the provision of streets parks recreational areas and other open spaces

(n) "Redevelopment Area" Any area whether improved or unimproved which a planning commission may find to be blighted because of the existence of the conditions enumerated in section two of this act so as to require redevelopment under the provisions of this act

(o) "Redevelopment Area Plan" A plan for the redevelopment of a redevelopment area made by a planning commission in accordance with the provisions of section ten of this act

(p) "Redevelopment Contract" A contract between an Authority and a redeveloper for the redevelopment of an area under the provisions of this act

(q) "Redevelopment Project" or "Project" A project undertaken by a redeveloper under a contract with an Authority in accordance with the provisions of this act

(r) "Redevelopment Proposal" A proposal including supporting data and the form of a redevelopment contract submitted for approval to the governing body by an Authority for the redevelopment of all or any part of a redevelopment area

Section 4 Formation of Authorities

(a) There are hereby created separate and distinct bodies corporate and politic one for each city and one for each county of the Commonwealth as herein defined Each such body shall be known as the Redevelopment Authority of the city or the county as the case may be but shall in no way be deemed to be an instrumentality of such city or county or engaged in the performance of a municipal function Each such Authority shall transact no business or otherwise become operative until and unless a finding is made as hereinafter provided in this section

(b) At any time after passage of this act the governing body of any city or county may find and declare by proper ordinance or resolution that there is need for an Authority to function within the territorial limits of said city or county as the case may be

(c) The governing body shall cause a certified copy of such ordinance or resolution to be filed with the Department of State and duplicate thereof with the State Board of Housing and the State Planning Board upon receipt of the said certificate the Secretary of the Commonwealth shall issue a certificate of incorporation

(d) In any suit action or proceeding involving or relating to the validity or enforcement of any contract or act of an Authority A copy of the certificate of incorporation duly certified by the Department of State shall be admissible in evidence and shall be conclusive proof of the legal establishment of the Authority

Section 5 Appointment and Qualifications of Members of Authority Upon certification of a resolution declaring the need for an Authority to operate in a city or county the Mayor or Board of County Commissioners thereof respectively shall appoint as members of the Authority five citizens who shall be residents of the city or county in which the Authority is to operate

Section 6 Tenure and Compensation of Members of Authority The members who are first appointed shall serve for terms of one two three four and five years respectively from the date of their appointment as shall be specified at the time of their appointment Thereafter the term of office shall be five years A member shall hold office until his successor has been appointed Vacancies for unexpired terms shall be promptly filled by the appointing power A member shall receive no compensation for his services but shall be entitled to the necessary expenses including travelling expenses incurred in the discharge of his duties

Section 7 Organization of Authority The members of an Authority shall select from among themselves a chairman a vice-chairman and such other officers as the Authority may determine An Authority may employ a secretary an executive director its own counsel and legal staff and such technical experts and such other agents and employes permanent or temporary as it may require and may determine the qualifications and fix the compensation of such persons Three members of an Authority shall constitute a quorum for its meetings Members of an Authority shall not be liable personally on the bonds or other obligations of the Authority and the rights of creditors shall be solely against such Authority An Authority may delegate to one or more of its agents or employes such of its powers as it shall deem necessary to carry out the purposes of this act subject always to the supervision and control of the Authority

Section 8 Interest of Members or Employes No member or employe of an Authority shall acquire any interest direct or indirect in any redevelopment project or in any property included or planned to be included in any redevelopment area or in any area which he may have reason to believe may be certified to be a redevelopment area nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used by an Authority or in any contract with a redeveloper or prospective redeveloper relating directly or indirectly to any redevelopment project The acquisition of any such interest in a redevelopment project or in any such property or contract shall constitute misconduct in office If any member or employe of an Authority shall already own or control any interest direct or indirect in any property later included or planned to be included in any redevelopment project under the jurisdiction of the Authority or has any such interest in any contract for material or services to be furnished or used in connection with any redevelopment project he shall disclose the same in writing to the Authority and to the State Board of Housing and the local governing body and such disclosure shall be entered in writing upon the minute

books of the Authority Failure to make such disclosure shall constitute misconduct in office

Section 9 Powers of an Authority An Authority shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act including the following powers in addition to those herein otherwise granted

(a) To procure from the planning commission the designation of areas in need of redevelopment and its recommendations for such redevelopment

(b) To study the recommendations of the planning commission for redevelopment of any area and to make its own additional investigations and recommendations thereon

(c) To cooperate with any government or municipality as herein defined

(d) To act as agent of the State or Federal Government or any of its instrumentalities or agencies for the public purposes set out in this act

(e) To arrange or contract with any municipality located in whole or in part within the Authority's field of operation or with the State or Federal Government for the furnishing planning replanning constructing installing opening or closing of streets roads raodways alleys sidewalks or other places or facilities or for the acquisition by such municipality or State or Federal Government of property options or property rights or for the furnishing of property or services in cocnnection with a redevelopment area

(f) To arrange or contract with the Commonwealth its agencies and any municipality to the extent that it is within the scope of their respective functions (1) to cause the services customarily provided by each of them to be rendered for the benefits of such Authority or the occupants of any redevelopment area and (2) to provide and maintain parks recreational centers schools sewerage transportation water and other municipal facilities adjacent to or in connection with redevelopment areas and (3) to plan replan zone or rezone any part of the municipality in connection with any redevelopment proposal of the Authority

(g) To enter upon any building or property in order to make surveys or soundings

(h) To assemble purchase obtain options upon acquire by gift grant bequest devise or otherwise any real or personal property or any interest therein from any person firm corporation municipality or government

(i) To acquire by eminent domain any real property including improvements and fixtures for the public purposes set forth in this act in the manner hereinafter provided

(j) To own hold clear improve and manage real property

(k) To sell lease or otherwise transfer subject to approval by the local governing body any redevelopment area either as an entirety to a single redeveloper or in parts to several redevelopers Provided That the Authority finds that the sale lease or other transfer of any such part will not be prejudicial to the sale or lease of other parts of the redevelopment area nor be in any other way prejudicial to the realization of the redelevopment proposal approved by the governing body

(l) To reimburse for their reasonable expenses of removal the occupants of a redevelopment area who have been displaced as a result of the redevelopment

(m) To insure or provide for the insurance of any property or operations of the Authority against any risks or hazards

(n) To procure or agree to the procural of insurance or gurantees from the State or Federal Government of the payment of any debts or parts thereof incurred by the Authority and to pay premiums in connection therewith

(o) To borrow from private lenders or from the State or Federal Government funds as may be necessary for the operation and work of the Authority

(p) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement in such investments as may be lawful for executors administrators guardians trustees and other fiduciaries under the laws of this Commonwealth

(q) To sue and be sued

(r) To adopt a seal and to alter the same at pleasure

(s) To have perpetual succession

(t) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority and any contract or instrument when signed by the chairman or vice-chairman and secretary or assistant secretary or treasurer or assistant treasurer of the Authority shall be held to have been properly executed for and on its behalf

(u) To make and from time to time to amend and repeal by-laws rules regulations and resolutions

(v) To conduct examinations and investigations and to hear testimony and take proof under oath or affirmation at public or private hearings on any matter material for its information

(w) To authorize any member or members of the Authority to conduct hearings and to administer oaths take affidavits and issue subpoenas

(x) To issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before the Authority or before one or more members of the Authority appointed by it to conduct such hearing

(y) To apply to any court having territorial jurisdiction of the offense to have punished for contempt any witness who refuses to obey a subpoena or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear

(z) To make available to the government or municipality or any appropriate agency board or commission the recommendations of the Authority affecting any area in its field of operation or property therein which it may deem likely to promote the public health morals safety or welfare

Section 10 Preparation and Adoption of Redevelopment Proposal

(a) An Authority shall prepare a redevelopment proposal for any area certified by the planning commission to be a redevelopment area and for which the planning commission has made a redevelopment area plan

(b) The planning commission's certification of a redevelopment area shall be made in conformance with its comprehensive general plan (which may include inter alia a plan of major traffic arteries and terminals and a land use plan and projected population densities) for the territory under its jurisdiction

(c) The planning commission's redevelopment area plan shall include without being limited to the following

(1) The boundaries of the area with a map showing the existing uses of the real property therein

(2) A land use plan of the area showing proposed uses following redevelopment

(3) Standards of population densities land coverage and building intensities in the proposed redevelopment

(4) A preliminary site plan of the area

(5) A statement of the proposed changes if any in zoning ordinances or maps

(6) A statement of any proposed changes in street layouts or street levels

(7) A statement of the extent and effect of the rehousing of families which may be made necessary from the redevelopment area plan and the manner in which such rehousing may be accomplished

(8) A statement of the estimated cost of acquisition of the redevelopment area and of all other costs necessary to prepare the area for redevelopment

(9) A statement of such continuing controls as may be deemed necessary to effectuate the purposes of this act

(d) In conformity with such redevelopment area plan the Authority shall prepare a proposal for the redevelopment of all or part of such area including the proposed redevelopment contract with the redeveloper selected The

Authority may if it deems it desirable hold public hearings prior to its final determination of the redevelopment proposal and the selection of the redeveloper

(e) The Authority shall submit the redevelopment proposal to the planning commission for review The planning commission shall within forty-five days certify to the governing body its recommendation on the redevelopment proposal either of approaval rejection or modification and in the latter event specify the changes recommended

(f) Upon receipt of the planning commission's recommendation or at the expiration of forty-five days if no recommendation is made by the planning commission the Authority shall submit to the governing body the redevelopment proposal with the recommendation if any of the planning commission thereon

(g) The governing body upon receipt of the redevelopment proposal and the recommendation if any of the planning commission shall hold a public hearing upon said proposal Notice of the time place and purpose of such hearing shall be published at least once each week for three consecutive weeks in a newspaper of general circulation in the field of operation of the Authority the time of the hearing to be at least ten days from the last publication of notice The notice shall describe the redevelopment area by boundaries and by city block street and house number The redevelopment proposal with such maps plans contracts or other documents as form part of said proposal together with the recommendation if any of the planning commission and supporting data shall be available for public inspection for at least ten days prior to the hearing

At the hearing the governing body shall afford an opportunity to all persons or agencies interested to be heard and shall receive make known and consider recommentdations in writing with reference to the redevelopment proposal

(h) The governing body shall approve or reject the redevelopment proposal and the redevelopment contract as submitted The governing body shall not approve a redevelopment proposal unless it is satisfied that adequate provisions will be made to rehouse displaced families if any without undue hardship or if the municipality in which the project is to be located has filed its objections thereto

(i) Upon approval by the governing body of the redevelopment proposal and redevelopment contract as submitted by the Authority the Authority is authorized to execute the redevelopment contract and to take such action as may be necessary to carry it out

Section 11 Provisions of the Redevelopment Contract

(a) The contract between the Authority and a redeveloper shall contain without being limited to the following provisions

(1) A legal description of the redevelopment area covered by the contract and a covenant running with land to the effect that no person shall be deprived of the right to live in the redevelopment project or to use any of the facilities therein by reason of race creed color or national origin and such other easements or other rights as are to be reserved therein by the Authority

(2) Plans and such other documents as may be required to show the type material structure and general character of the redevelopment project

(3) A statement of the use intended for each part of the project

(4) A guaranty of completion of the redevelopment project within specified time limits (4-1) A requirement that every contract for construction installation alteration repair of or addition to the redevelopment project where the estimated cost shall exceed $500.00 shall contain a provision obligating the contractor to the prompt payment of all material furnished labor supplied or performed rental for equipment employed and services renedered by public utilities in or in connection with the prosecution of the work whether or not the said material labor equipment of service enter into and become component parts of the work or improvement contemplated Such provision shall be deemed to be included for the benefit of every person co-partnership association or corporation who as subcontractor or otherwise has furnished material supplied or performed labor rented equipment or supplied services in or in connection with the prosecution of the work as aforesaid and the inclusion thereof in any contract shall preclude the filing by any such person co-partnership association or corporation of any mechanics' lien claim for such material labor or rental of equipment and further requiring that the contractor shall give to the redeveloper an appropriate bond for the prompt payment by the contractor for materials supplies labor services and equipment in such form as the Authority may prescribe

(5) A provision that the redeveloper shall be without power to sell lease or otherwise transfer the redevelopment area or project or any part thereof without the prior written consent of the Authority until the Authority shall have certified in writing that the redevelopment project has been completed

(6) The amount of the consideration to be paid by the redeveloper to the Authority

(7) Adequate safeguards for proper maintenance of all parts of the project

(8) Prohibition against discrimination in the use sale or lease of any part of the project against any person because of race color religion or national origin

(9) Such other continuing controls as may be deemed necessary to effectuate the purposes of this act

(b) Any deed or lease to a redeveloper in furtherance of a redevelopment contract shall be executed in the name of the Authority by its proper officers and shall contain in addition to all other provisions such provisions as the Authority may deem desirable to run with the land in order to effectuate the purposes of this act

(c) Any lease to a redeveloper may provide that all improvements shall become the property of the Authority The execution of such a lease shall not in itself impose upon the Authority any liability for or by reason of the financing construction management or operation of any redevelopment project

Section 12 Eminent Domain Title to any property acquired by an Authority through eminent domain shall be an absolute or fee simple title unless a lesser title shall be designated in the eminent domain proceedings The Authority may exercise the right of eminent domain in the manner provided by law for the exercise of such right by cities or counties as the case may be of the same class as the city or county in which such Authority is organized to operate If any of the real property in the redevelopment area which is to be acquired has prior to such acquisition been devoted to another public use it may nevertheless be acquired by condemnation Provided That no real property belonging to a city county or to the Commonwealth may be acquired without its consent No real property belonging to a public utility corporation may be acquired without the approval of the Public Utility Commission

Section 13 Bonds of an Authority An Authority shall have power to issue bonds for any of its corporate purposes the principal and interest of which are payable from its revenues generally Any of such bonds may be secured by a pledge of any revenues including grants or contributions from the Federal or State Government or any agency and instrumentality thereof or by a mortgage of any property of the Authority

The bonds issued by an Authority are hereby declared to have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

The bonds of an Authority created under the provisions of this act and the income therefrom shall at all times be free from taxation for State or local purposes under any law of this Commonwealth

Neither the members of an Authority nor any person executing the bonds shall be liable personally on any such bonds by reason of the issuance thereof Such bonds or other obligations of an Authority shall not be a debt

of any municipality or of the Commonwealth and shall so state on their face nor shall any municiuality or the Commonwealth nor any revenues or any property of any municipality or of the Commonwealth be liable therefor

Section 14 Form and Sale of Bonds The bonds of an Authority shall be authorized by its resolution shall be issued in one or more series and shall bear such date mature at such time and bear interest at such rate not exceeding six per centum (6%) per annum payable semi-annually be in such denominations be in such form either coupon or registered be executed in such manner be payable in such medium of payment at such place and be subject to such terms of redemption and carry such registration privileges as may be provided in such resolution or in any trust indenture or mortgage properly made in pursuance thereof

Before any bonds may be sold in pursuance of any resolution of any Authority the chairman or secretary of such Authority shall certify to the Department of Internal Affairs a complete and accurate copy of the proceedings had for the issuance of the bonds which are to be sold in the manner now or hereafter provided for the certification to said department of the proceedings relating to the issuance of bonds of the municipalities of this Commonwealth Upon receiving such a certificate of approval of the proceedings from the Department of Internal Affairs the Authority may proceed with the sale of the bonds

The bonds of an Authority may be sold at not less than par and accrued interest In case any of the officers of an Authority whose signatures appear on any bonds or coupons shall cease to be officers before the delivery of such bonds their signatures shall nevertheless be valid and sufficient for all purposes the same as if such officers had remained in office until such delivery

The Authority shall have the power out of any funds available therefor to purchase any bonds issued by it at a price not more than the par value thereof plus accrued interest All bonds so purchased shall be cancelled This paragraph shall not apply to the redemption of bonds

Any bond reciting in substance that it has been issued by an Authority to accomplish the public purposes of this act shall be conclusively deemed in any suit action or proceeding involving the validity or enforceability of such bond or security therefor to have been issued for such purpose

Section 15 Provisions of Bonds Trust Indentures and Mortgages In connection with the issuance of bonds or the incurring of obligations under leases and in order to secure the payment of such bonds or obligations an Authority in addition to its other powers shall have power

(a) To pledge all or any part of its gross or net revenues to which its right then exists or may thereafter come into existence

(b) To mortgage all or any part of its real or personal property then owned or thereafter acquired

(c) To covenant against pledging all or any part of its revenues or against mortgaging all or any part of its real or personal property to which its right or title exists or may thereafter come into existence or against permitting or suffering any lien on such revenues or property to covenant with respect to limitations on its right to sell lease or otherwise dispose of any of its real property and to covenant as to what other or additional debts or obligations may be incurred by it

(d) To covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise and as to the use and disposition of the proceeds thereof to provide for the replacement of lost destroyed or mutilated bonds to covenant against extending the time for the payment of its bonds or interest thereon and to redeem the bonds and to covenant for their redemption and to provide the terms and conditions thereof

(e) To covenant subject to the limitations contained in this act as to the amount of revenues to be raised each year or other period of time as well as to the use and disposition to be made thereof to create or to authorize the creation of special funds for debt service or other purposes and to covenant as to the use and disposition of the moneys held in such funds

(f) To prescribe the procedure if any by which the terms of any contract with bondholders may be amended or abrogated the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given

(g) To covenant as to the use of any or all of its real or personal property to warrant its title and to covenant as to the maintenance of its real and personal property the replacement thereof the insurance to be carried thereon and the use and disposition of insurance moneys

(h) To covenant as to the rights liabilties powers and duties arising upon the breach by it of any covenant condition or obligation and to covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived

(i) To vest in a trustee or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds to vest in a trustee the right in the event of a default by the Authority to take possession and use operate and manage any real property and to collect the rents and revenues arising therefrom and to dispose of such moneys in accordance with the agreement of the Authority with said trustee to provide for the powers and duties of a trustee and to limit liabilities thereof and to provide the terms and conditions upon which the trustee or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds

(j) To exercise all or any part or combination of the powers herein granted to make covenants other than and in addition to the covenants herein expressly authorized to make such covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the Authority as will tend to accomplish the purposes of this act by making the bonds more marketable notwithstanding that such covenants acts or things may not be enumerated herein

Section 16 Remedies of an Obligee of Authority An obligee of an Authority shall have the right in addition to all other rights which may be conferred on such obligee subject only to any contractual restrictions binding upon such obligee

(a) By mandamus suit action or proceeding at law or in equity to compel the Authority and the members officers agents or employes thereof to perform each and every term provision and covenant contain in any contract of the Authority with or for the benefit of such obligee and to require the carrying out of any or all such covenants and agreements of the Authority and the fulfillment of all duties imposed upon the Authority by this act

(b) By proceeding in equity to obtain an injunction against any acts or things which may be unlawful or the violation of any of the rights of such obligee of the Authority

Section 17 Additional Remedies Conferrable by Authority An Authority shall have power by its resolution trust indenture mortgage lease or other contract to confer upon any obligees holding or representing a specified percentage in bonds or holding a lease the right in addition to all rights that may otherwise be conferred upon the happening of an event of default as defined in such resolution or instrument by suit action or proceeding in any court of competent jurisdiction

(a) To obtain the appointment of a receiver of any real property of the Authority and of the rents and profits therefrom If such receiver be appointed he may

enter and take possession of such real property operate the same and collect and receive all revenues or other income thereafter arising therefrom and shall keep such moneys in a separate account and apply the same in accordance with the obligations of the Authority as the court shall direct

(b) To require the Authority and the members thereof to account as if it and they were the trustees of an express trust

Section 18 Aid from Federal Government In addition to the powers conferred upon an authority by other provisions of this act an Authority is empowered to borrow money or accept grants or other financial assistance from the Federal Government for or in aid of any of its operations It is the purpose and intent of this act to authorize every Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in any of its operations

Section 19 Records and Reports

(a) The books and records of an Authority shall at all times be open and subject to inspection by the State Board of Housing

(b) An Authority may file with the State Planning Board and the State Board of Housing such information and reports as it may from time to time deem desirable and shall file with them

(1) A copy of all by-laws and rules and regulations and amendments thereto adopted by it from time to time

(2) Copies of all redevelopment proposals and redevelopment contracts as well as of any changes which may be made therein

(3) At least once each year a report of its activities for the preceding year and such other reports as said Boards may require Copies of such reports shall be filed with the Mayor and governing body of the city or with the County Board of Commissioners as the case may be

Section 20 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments at this time, but before doing so I desire to make a brief statement.

The PRESIDING OFFICER. The gentleman from Allegheny may proceed.

Mr. BARR. These amendments I think are necessary because there are some communities which have these blighted areas which might not be able to afford the funds or have the authority for redevelopment of those blighted areas.

I know this bill is on third reading and therefore ask unanimous consent to offer these amendments.

Mr. HEYBURN. Mr. President, because of my very deep affection for the gentleman from Allegheny, Senator Barr, I hesitate to object, but I must. I have looked over his amendments and I think they destroy the purpose of the bill. Therefore, I object.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1135, as follows:

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the construction reconstruction or maintenance of any county road or highway in counties of the second class the said counties are hereby authorized and empowered to enter upon private property except the right of way of a railroad company for the purpose of constructing reconstructing or maintaining storm water drains ditches or channels and the inlets and outlets thereto

Section 2 Any damages sustained by the owner or owners of land entered upon by any of the said counties shall be paid by the county or counties within which said property is located The determination of the amount of damage shall be in accordance with existing laws relative to determination of damages for the location relocation construction reconstruction etc of county roads

Section 3 If any person shall stop fill up or injure any such drain channel or ditch or the inlets or outlets thereto or shall divert or change the course thereof without any authority of the proper county or shall be responsible for the same and does not eliminate or remove such obstruction of or interference with said drains channels ditches etc upon ten (10) days notice in writing from the county so to do then and in that case such person shall upon summary conviction in an action before any magistrate alderman or justice of the peace be sentenced to pay a fine or penalty of ten dollars ($10) for every such offense together with the costs of prosecution and such fines as shall be imposed shall be paid to the treasurer of the proper county Every day's violation after written notice has been received by the proper person shall constitute a separate offense Provided however that nothing herein contained shall limit or deprive the said counties of any other remedy which they may now or in the future have in law or equity

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Klein,	Taylor,
Becker,	Farrell,	Leader,	Thomas,
Berger,	Geltz,	Letzler,	Troutman,
Blass,	Gourley,	Mallery,	Tyler,
Bowers,	Haluska,	Margie,	Wade,
Carr,	Heyburn,	McCreesh,	Wagner,
Chapman,	Holland,	McGinnis,	Walker,
Coleman,	Homsher,	Rosenfeld,	Wilson,
Cox,	James,	Ruth,	Woodring,
Crider,	Jaspan,	Scarlett,	Woodward,
Crowe,	Jones,	Snowden,	Tallman,
Dent,	Kephart,	Stevenson,	Presiding Officer
DiSilvestro,			

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1141, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Commission instead of the Department of Public Instruction

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1184, as follows:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by giving jurisdiction to the Municipal Court of Philadelphia County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the persons and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" is hereby amended to read as follows

Section 2 Definitions The masculine pronoun when used in this act shall be construed to include the feminine

The word court as used in this act shall be construed to mean the court of quarter sessions of the peace of any county the Municipal Court of Philadelphia County the family court of Philadelphia and the county court of Allegheny County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1189, as follows:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measurers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation thereof" are hereby amended to read as follows

Section 1 Be it enacted &c That the word "commodity" as used in this act shall [be taken to] mean any thing goods wares merchandise compound mixture or preparation products of manufacture of any tangible personal property which may be lawfully kept sold or offered for sale

The words "liquid commodity" as used in this act shall mean anything fluid or in the liquid state and not mixed with solids and frozen fluid products

The words "dry commodity" as used in this act shall mean any other commodity sold or offered for sale not in liquid or fluid state at the time of sale

The words "liquid measure" as used in this act shall mean the standard United States gallon of 231 cubic inches or binary sub-multiple thereof quart pint or gill

The words "dry measure" as used in this act shall mean the standard United States bushel of 2150.42 cubic inches or sub-multiple thereof peck quart or pint

The word "weight" as used in this act shall mean the United States standard avoirdupois pound or ounce

The word "package" as used in this act shall mean everything containing one or more than one unit of any commodity tied or bound together or put up in box bag pack bundle container bottle jar can or any other form of receptacle or vessel not considered as an approved measure except cases cartoons crates bundles or bales used for bulk shipping or storage Provided That enclosed packages are marked as to weight measure or numerical count

The word "department" as used in this act shall mean the Department of Internal Affairs

The word "person" as used in this act shall be construed to include any individual firm partnership unincorporated association corporation association agent representative or employe thereof

Section 2 (1) All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure All dry commodities when sold in bulk or from bulk shall be sold by weight dry measure or numerical count unless otherwise designated to be sold in a special manner No dry commodities shall be sold by liquid measure [dry commodities in car load lots may be sold by weight]

(2) All meat and meat products poultry and poultry products except eggs shall be sold by weight only eggs may be sold by numerical count

(3) Wood used for fuel shall be sold by weight or by the cord of 128 cubic feet or fraction thereof and accompanied by a statement or invoice certifying the amount sold

Section 2 Said act is hereby amended by adding after section two two new sections to read as follows

Section 2.1 All commodities not considered as packages within the meaning of the act or labeled as to net contents at the time of sale shall be counted measured or weighed in full view of the purchaser at the time of sale and on weighting or measuring devices as approved by the department and inspected as to accuracy by the several State county and city inspectors of weights and measures and statement of result of such count measure or weight to be made to the purchaser by the person making the sale

Section 2.2 Any dry commodity sold in bulk must be accompanied by a statement of weight

Section 3 Section three of said act is hereby amended to read as follows

Section 3 [It shall be unlawful to use a measure without a bottom in selling any commodity] If commodities are sold by dry or liquid measure only measures as approved by provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" shall be used

Section 4 Section four of said act as last amended by the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1259) is hereby further amended to read as follows

Section 4 [It shall be unlawful in] No person selling any commodity [to] shall use any measure unless the same shall have thereon marked in a conspicuous place and in distinct letters and figures the capacity thereof If such measure be of the capacity of one-half bushel or less it shall be marked in terms of dry measure or of one-half gallon or less it shall be marked in terms of [dry or] liquid measure [respectively] If the measure be of the capacity of over one-half bushel it shall be marked in the terms of a bushel or over one-half gallon it shall be marked in terms of a [bushel or] gallon [respectively] liquid measure Provided however That containers bottles or jars used for the sale of milk [or] cream [shall be regarded] or any other commodity and considered as measures within the meaning of this act and shall be in all respects subject to all rules and regulations heretofore or hereafter made by the Department of Internal Affairs as to reasonable variations and tolerances

Section 5 Section five of said act is hereby amended to read as follows

Section 5 [It shall be unlawful for any person firm or corporation with intent to defraud]

[(1) To] No person shall sell or offer for sale any commodity [on the container of which is marked any false statement respecting the kind number quantity weight or measure of such commodity or of any part thereof or respecting the place or country where such commodity was manufactured or produced or respecting the quality or grade of such commodity] in any other manner than by weight measure or numerical count

[(2) To orally or otherwise represent that any commodity offered for sale in bulk to which no name or trade mark shall be attached is the manufacture or production of some other than the actual manufacturer or producer Provided that nothing in this act is to be construed as applying to drugs medicines chemicals or pharmaceutical or proprietary preparations used as medicine nor to toilet preparations]

Section 6 Section six of said act as last amended by the act approved the eighth day of May one thousand nine hundred thirty-one (P. L. 105) is hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel and free from any foreign matter the bushel [shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds] of such commodity shall consist of the [fractional part of the] respective number of pounds [as are] herein set forth [for the bushel] namely

Alfalfa seed sixty pounds
Apples forty-five pounds
Apples dried twenty-five pounds
Barely forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beans (green or wax) thirty-two pound
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous eighty pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries thirty-two pounds
Cucumbers forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eighty pounds
Hemp-seed forty-four pounds
Herd's-grass forty-five pounds
Hickory nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds

Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (pealed) thirty-eight pounds
Peaches dried (unpealed) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Rape-seed fifty pounds
Raspberries forty-eight pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Ryemeal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes fifty-six pounds
Turnips fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania [standard] approved containers or measures which are the original [packages] unbroken containers or measures and are filled in accordance with good commercial practices and free from any foreign matter such fruits and vegetables shall be exempt from the provision of this section

Section 7 Section seven of said act is hereby amended to read as follows

Section 7 [If] No person shall distribute or sell or have in his possession with intent to distribute or sell any commodity in package form unless the net quantity of the contents shall be plainly and conspicuously marked on the outside of the package in terms of weight measure or numerical count Provided however That reasonable variations shall be permitted and tolerances [and also exemptions as to small packages shall] may be established by rules and regulations made by the [Chief of the Pennsylvania Bureau of Standards] department Before any tolerances are granted producers and manufacturers of commodities must make written application for a tolerance to the department and must furnish proof that the use value of the commodity will not be affected by the granting of the tolerance Exempt from marking as to net content contained shall be

(a) All packages sold as liquid commodities containing less than one ounce liquid measure

(b) All packages sold as dry commodities containing less than one ounce avoirdupois

(c) All packages selling for five cents or less

Section 8 Said act is hereby amended by adding thereto after section seven a new section to read as follows

Section 7.1 The Secretary of Internal Affairs shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 9 Section eight of said act as amended by the act approved the nineteenth day of May one thousand nine hundred twenty-three (P. L. 278) is hereby further amended to read as follows

Section 8 [Each] Any person [firm or corporation that] who shall violate any of the provisions of this act shall [be guilty of a misdemeanor and] upon summary conviction thereof before any alderman magistrate or justice of the peace of the proper county be sentenced for the first offense [shall be fined not] to pay a fine of not less than twenty-five dollars ($25.00) or more than [twenty-five dollars upon conviction] fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense [such person firm or corporation shall] be [fined] sentenced to pay a fine of not less than [twenty-five dollars nor] fifty dollars ($50.00) or more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and [upon conviction] for the third [and each subsequent] offense [such person firm or corporation] shall be [fined] sentenced to pay a fine of not less than one hundred dollars ($100.00) [nor] or more than two hundred [and fifty] dollars ($200.00) and costs of prosecution and in default thereof shall undergo imprisonment for thiry (30) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not more than six (6) months or both All fines collected under the provisions of this act shall be paid to the treasurer of the respective city or county in which the offense was committed

Section 10 Section nine of said act is hereby amended to read as follows

Section 9 It shall be the duty of the department and the proper city and county inspectors of weights and measures to enforce the provisions of this act who may examine commodities sold or offered for sale and test or inspect them for correct weight measure or count Without formal warrant they may enter any place of business or stop any vendor peddler dealer or other person selling or offering commodities for sale for the purpose of ascertaining whether the provisions of this act have been complied with Such State city or county inspectors may seize for use as evidence and hold until final disposition by the court any commodity package or other article sold or offered for sale contrary to the provisions of this act No retailer shall be prosecuted for having in his possession or offering for sale any article of merchandise which he has purchased in good faith for resale and which is packed in sealed unbroken and undamaged original packages or containers because of a shortage in weight as marked thereon Provided That such shortage does not exceed twice the tolerance granted or permitted by the department under section seven of this act for such commodity except such articles of merchandise which have been packed or packaged by said retailer Said inspectors shall mark or seal as condemned any article commodity or package which does not comply with the tolerance specifications in section seven or any other provisions of this act and said commodity shall not be sold or offered for sale until it has been relabeled to comply with the provisions of this act and the condemnation mark or seal removed by the inspector who originally marked it condemned or a properly authorized official of the jurisdiction where the condemnation was made

Section 11 This act shall become effective the first day of .....
.....

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1194, as follows:

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in and an endowment fund for the Mt Zion Cemetery which is part of the historic Ephrata Cloister land located in Ephrata Lancaster County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical Commission is hereby authorized and empowered to accept on behalf of the Commonwealth all that part of Mt Zion Cemetery not presently used as private burial grounds which cemetery comprises part of the original lands of the Seventh Day Baptists of Ephrata located in Lancaster County Pennsylvania The parts of said cemetery authorized to be acquired by this act shall be all that part owned by the Ephrata Monument Association by any patriotic or military organization or association and all that section of the cemetery in which are buried the remains of nearly two hundred Revolutionary War Soldiers The Pennsylvania Historical Commission is hereby further authorized to accept for and on behalf of the Commonwealth certain trust funds now held by the Ephrata Monument Association for the maintenance of its land in said cemetery

Section 2 The title to said real estate shall be taken in the name of the Commonwealth and shall before its acquisition be approved by the Department of Justice

Section 3 Upon acquiring the property the Pennsylvania Historical Commission shall have full control supervision and management thereof in accordance with the provisions of the Administrative Code of 1929

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1199, as follows:

An Act to further amend section four hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the preservation of certain records

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 401 * * * * *

Every board of school directors shall retain as a permanent record of the district the minute book each annual auditor's report and each annual financial report All other financial records of the district including financial account books orders bills contracts invoices receipts and purchase orders shall be retained by the district for a period of not less than six years

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,

Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1225, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement development and maintenance of the plot of ground in the city of Erie Pennsylvania acquired for the location of the Flagship Niagara

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation of five thousand dollars ($5,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission for the improvement planting and development of the plot of ground acquired in the city of Erie Pennsylvania for the permanent location and resting place of the Flagship Niagara The moneys herein appropriated shall be expended for the purchase of materials wages and professional fees and all other costs and expenses incident to the improvement and development of said plot of ground including grading planting laying concrete and the building of driveways and retaining walls

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1234, as follows:

An Act to further amend sections one and ten of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and ten of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employee" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board by the county prison authorities by the county house of detention authorities or by the county retirement system whose salary or compensation is paid in regular periodic installments but shall not except as hereinafter provided include any person who is employed on a per diem basis

"Fund" the county employes' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in any county

"Original Member" a member who was a county employe on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a member of the retirement system after the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor

"Retirement Allowance" the county annuity plus the member's annuity

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established This shall include the services of a county official whose compensation was in the form of fees collected by his office and shall also include the services of employes paid directly by such county official out of such fees As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year retirement system was established Such cer-

tificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The retirement board may also give credit to any person who was a county employe for each year that he was employed previous to the first day of January one thousand nine hundred forty-five for at least two hundred days per year on a per diem basis for the purpose of the computation of his retirement credit The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1235, as follows:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand three hundred fifty-one dollars ($1,351.00) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Labor and Industry for the payment of any claims against the Commonwealth and that department arising from professional services rendered including physical examinations expert testimony at hearings and expenses incurred attending such hearings by physicians in workmen's compensation cases

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1267, as follows:

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" are hereby further amended to read as follows

Section 3 Definitions

* * * * *

(f) The development of a project shall be deemed to be "initiated" within the meaning of this act if a housing authority has issued any bonds notes or other obligations with respect to financing the development of such projects of the housing authority or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such project of the Federal Government for which an allocation of funds has been made prior to May 31 [1945] 1947

Section 4 During the national defense period every

housing authority shall have the power to undertake the development and administration of projects within its field of operation to provide safe and sanitary dwellings for persons engaged in national defense activities but no housing authority shall initiate the development of any such project pursuant to this act after May 31 [1945] 1947

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1271. as follows:

An Act authorizing the laying out opening construction and maintenance of a State highway route in the County of Juniata and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Highways is hereby authorized to lay out open construct and maintain that portion of State highway route beginning at a point on Route 34004 near Denholm and extending in a general northwesterly direction through Milford Township Juniata County over said Route 34004 a distance of about 3.5 miles to a point on the Mifflin County line

Section 2 The laying out and opening of the road described in section one of this act shall be in the same manner as provided by law for the relocating or widening of State highways

Section 3 So much of the money in the Motor License Fund as may be necessary from time to time is hereby specifically appropriated to the Department of Highways for carrying out the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1278, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight million seven hundred thirty-five thousand five hundred fifty dollars ($8,735,550) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-five to be by it paid to the hospitals hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such hospitals in the manner prescribed by law at the rate of four dollars ($4.00) per diem for the medical and surgical services rendered to and maintenance of persons treated in such hospitals who are entitled to free service and for each day of part pay service such proportion of four dollars ($4.00) per diem rate as the part of the regular charge which the person treated is not able to pay bears to the regular ward charge for free service except that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in its public ward

Abington Memorial Hospital	$ 70,200.00
Adrian Hospital Association Punxsutawney	40,100.00
Allegheny General Hospital Pittsburgh	181,200.00
Allegheny Valley Hospital Tarentum	30,200.00
Allentown Hospital Allentown	150,000.00
Altoona Hospital	62,000.00
American Hospital for Diseases of Stomach Philadelphia	7,200.00
American Oncologic Hospital Philadelphia	20,000.00
Armstrong County Hospital Kittanning	16,500.00
Barnes Simon H Memorial Hospital	6,500.00
Beaver Valley General Hospital New Brighton	14,000.00
Belvedere Hospital Pittsburgh	4,500.00
Berwick Hospital	18,000.00
Black F W Community Hospital Lewistown	8,000.00
Blair J C Memorial Hospital Huntingdon	36,000.00
Bloomsburg Hospital	34,000.00
Braddock General Hospital	47,600.00
Bradford Hospital	31,600.00
Broad Street Hospital Philadelphia	16,000.00
Brookville Hospital	15,500.00
Brownsville General Hospital	31,000.00
Bryn Mawr Hospital Bryn Mawr	40,000.00
Butler County Memorial Hospital	30,000.00
Canonsburg General Hospital	19,000.00
Carbondale General Hospital	27,000.00
Carlisle Hospital	28,000.00
Centre County Hospital Bellefonte	25,000.00
Chambersburg Hospital	19,000.00
Charleroi-Monessen Hospital	26,500.00
Chester County Hospital West Chester	58,000.00
Chester Hospital City of Chester	90,000.00
Chestnut Hill Hospital Philadelphia	27,000.00

Children's Heart Hospital Philadelphia	22,000.00
Childrens' Hospital of Philadelphia	92,000.00
Children's Hospital of Pittsburgh	96,000.00
Christian H Buhl Hospital Sharon	36,000.00
Citizens General Hospital New Kensington	38,000.00
Clearfield Hospital	44,000.00
Coatesville Hospital	42,000.00
Columbia Hospital Columbia	11,800.00
Columbia Hospital Wilkinsburg	14,000.00
Community General Hospital Reading	60,000.00
Community Hospital Kane	6,000.00
Community Hospital of Jersey Shore	5,000.00
Conemaugh Valley Memorial Hospital	112,000.00
Corry Hospital Association	10,000.00
Crozier J Lewis Hospital Chester	4,000.00
Delaware County Hospital	20,500.00
Eagleville Sanatorium for Consumptives	126,000.00
Easton Hospital	68,000.00
Elizabeth Steel Magee Hospital Pittsburgh	106,000.00
Elk County General Hospital Ridgway	18,000.00
Ellwood City Hospital Ellwood City	8,500.00
Elm Terrace Hospital Lansdale	4,800.00
Eye and Ear Hospital Pittsburgh	22,000.00
Frankford Hospital Philadelphia	62,000.00
Franklin City Hospital	18,000.00
Frederick Douglass Memorial Hospital and Training School Philadelphia	25,000.00
Frick Henry Clay Memorial Hospital Mt. Pleasant	22,000.00
Geisinger George F Memorial Hospital Danville	57,000.00
General Hospital of Monroe County East Stroudsburg	20,000.00
Germantown Dispensary and Hospital	180,000.00
Good Samaritan Hospital Lebanon	53,000.00
Grandview Hospital Sellersville	15,000.00
Greene County Memorial Hospital Waynesburg	15,000.00
Greenville Hospital Greenville	9,000.00
Grove City Hospital	3,000.00
Hahnemann Hospital Philadelphia	206,000.00
Hahnemann Hospital Scranton	60,000.00
Hamot Hospital Association Erie	107,000.00
Hanover General Hospital Hanover	16,000.00
Harrisburg Hospital Harrisburg	108,000.00
Harrisburg Polyclinic Hospital Harrisburg	62,000.00
Homeopathic Hospital of Chester County West Chester	28,000.00
Homestead Hospital	42,000.00
Indiana Hospital	47,000.00
Jameson Memorial Hospital Association (Shenango Valley) New Castle	16,000.00
Jefferson Medical College Hospital	290,000.00
Kane Summit Hospital Association	6,500.00
Lancaster County Tuberculosis Society (Rossmere)	62,000.00
Lancaster General Hospital	76,000.00
Lancaster Osteopathic Hospital Association	3,000.00
Lankenau Hospital Philadelphia	38,000.00
Latrobe Hospital	25,000.00
Lee Homeopathic Hospital Johnstown	24,000.00
Lewistown Hospital	60,000.00
Lock Haven Hospital	39,000.00
Lying-in-Charity Hospital Philadelphia	64,000.00
Maple Avenue Hospital Association DuBois	16,000.00
Maternity Hospital Philadelphia	33,000.00
McKeesport Hospital	82,000.00
Meadville City Hospital	26,000.00
Memorial Hospital Association Monongahela City	10,800.00
Memorial Hospital Roxborough Philadelphia	38,000.00
Mercy Hospital Altoona	46,000.00
Mercy Hospital and School for Nurses Philadelphia	77,000.00
Mercy Hospital Wilkes-Barre	90,000.00
Mid-Valley Hospital Blakely	32,000.00
Milliken A C Hospital Pottsville	28,000.00
Miners' Hospital of Northern Cambria	45,000.00
Montefiore Hospital Pittsburgh	76,000.00
Montgomery Hospital Norristown	43,150.00
Mount Sinai Hospital Philadelphia	126,000.00
Nason Hospital Association Roaring Spring	28,000.00
Northern Liberties Hospital	19,500.00
Northeastern Hospital of Philadelphia	31,000.00
Northwestern General Hospital Philadelphia	18,000.00
Ohio Valley General Hospital McKees Rocks	20,000.00
Oil City Hospital	28,000.00
Packer Robert Hospital Sayre	135,000.00
Passavant Hospital Pittsburgh	48,000.00
Pennsylvania Epileptic Hospital and Colony Farm Oakburne	44,000.00
Pennsylvania Hospital of Philadelphia (Contributors)	175,000.00
Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia	6,900.00
Phoenixville Hospital	15,000.00
Physicians' and Surgeons' Hospital Philadelphia	4,800.00
Pittsburgh Hospital Association	68,000.00
Pittston Hospital Association	57,000.00
Potter County Memorial Hospital Coudersport	3,900.00
Pottstown Homeopathic Hospital	13,000.00
Pottstown Hospital	22,000.00
Pottsville Hospital	84,000.00
Presbyterian Hospital Pittsburgh	56,000.00
Providence Hospital of Beaver County	12,000.00
Quakertown Hospital Association	9,600.00
Reading Hospital	110,000.00
Renovo Hospital	9,000.00
Rochester General Hospital	28,000.00
Rush Hospital for Consumptives Philadelphia	79,800.00
Saint Christopher's Hospital for Children Philadelphia	63,000.00
Saint Francis' Hospital Pittsburgh	158,000.00
Saint John's General Hospital Pittsburgh	48,000.00
Saint Joseph's Hospital Carbondale	24,000.00
Saint Luke's Hospital South Bethlehem	100,000.00
Saint Luke's and Children's Medical Centre Philadelphia	85,000.00
Saint Vincent's Hospital Association Erie	92,000.00
Sewickley Valley Hospital	27,000.00
Shady Side Hospital	84,000.00
Soldiers' & Sailors' Memorial Hospital Wellsboro	5,000.00
Somerset Community Hospital	18,300.00
South Side Hospital Pittsburgh	67,000.00
Spencer Hospital Meadville	35,100.00
Stetson Hospital Philadelphia	12,000.00
Suburban General Hospital Bellevue	14,000.00
Sunbury Community Hospital	38,000.00
Taylor Hospital Association Taylor	34,000.00
Taylor Hospital Ridley Park	21,000.00
Temple University Hospital Philadelphia	155,000.00
Titusville Hospital	7,000.00
Tuberculosis League of Pittsburgh	96,000.00
Uniontown Hospital	70,000.00
University of Pennsylvania Hospital Philadelphia	260,000.00
University of Pennsylvania Graduate Hospital	165,000.00
Warner Annie M Hospital Gettysburg	12,500.00
Warren General Hospital	28,000.00
Washington Hospital	48,000.00
Wayne County Memorial Hospital Honesdale	7,500.00
Waynesboro Hospital	16,000.00
Western Pennsylvania Hospital Pittsburgh	145,000.00
Westmoreland Hospital Association Greensburg	57,000.00
West Side Hospital Association Scranton	61,000.00
Wilkes-Barre General Hospital	162,000.00
Williamsport Hospital	98,000.00
Wills Hospital Philadelphia	93,000.00
Women's Homeopathic Hospital Philadelphia	65,000.00

Women's Hospital of Philadelphia	71,000.00
Women's Hospital Pittsburgh	7,000.00
Women's Medical College Hospital Philadelphia	73,000.00
Wyoming Valley Homeopathic Hospital Wilkes-Barre	47,000.00
York Hospital	99,000.00
Zem Zem Hospital for Crippled Children Erie	18,000.00

Section 2 Notwithstanding the provisions of section one of this act no part of the appropriation made to the Department of Welfare thereunder shall be made to any hospital therein named if such hospital is a denominational or sectarian institution corporation or association

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection?

Mr. CHAPMAN. Mr. President, I object.

MOTION FOR RECONSIDERATION OF HOUSE BILL No. 1278

Mr. HALUSKA. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1278 passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted "aye"

Mr. WOODRING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted "aye"

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. I trust that I may have the attention of my colleagues to once again make my final appeal with reference to House Bill No. 1278. Yesterday afternoon I tried, to the best of my ability, to impress my colleagues with the importance of my appeal. I have talked to practically every Senator in this body. Despite my talking to them, my appeals, it appears now that it has all been in vain. When I first came to Harrisburg, eleven years ago, I was told I was coming to a place where they gave justice. That is all I expect.

Tonight I witnessed where the Senator from Warren, Dr. Chapman, introduced a resolution to amend a certain appropriation bill, increasing it by $2,000,000. That was all right. I have sat here throughout this session and I have voted for bills appropriating moneys for all types of purposes. Now I come to this body and I am appealing to you to give sufficient moneys to maintain the Northern Cambria Hospital, so that it may take care of the community, and with all of my appealing it is apparent that the Chairman of the Committee on Appropriations has made up his mind that hospital may close its doors, in so far as he may be concerned, he does not care. That same man, Mr. President, arose in place in this Senate Chamber four or five weeks ago and told this body that the hospitals of Pennsylvania can not use up their appropriations and for that reason that same man introduced a resolution asking that the per diem basis be increased from three dollars a day to four dollars. It makes little difference how much money might be appropriated to any hospital, as unless that money might be earned it must be returned. And I say tonight that the Miners Hospital of Northern Cambria County has definitely been discriminated against. Up until tonight I thought it was a gross misunderstanding. It is very apparent, Mr. President, that not the Committee on Appropriations is running this show but the secretary of that committee, who is not a member of this body. I asked the Chairman of the Committee on Appropriations way back in January to listen to my case. I informed him then that the hospital back in Cambria county was about to fold up, a hospital which has to take care of a community forty miles from the nearest hospital, serving 40,000 people. He was very kind and asked me to go to his office and contact his secretary and I did; I came back the following week and every week and all I asked of him was to give me an opportunity to come before his committee, where I knew the men were fair and they would be honest and let me explain my case, and he assured me that I would have that opportunity. They did meet and I was never informed or notified. After all, we meet here on common ground, as man to man. I find no fault with you men when you vote for party measures; you have a right to uphold your party; I find no fault with my side of the Senate when they vote for party measures; but, Mr. President, I do find fault when one man will definitely tell both parties that a certain hospital will get so much, without any further consideration.

House Bill No. 1278 reads that four dollars per day shall be appropriated to every hospital serving these free patients that can not pay for their own care. I want to know why the Miners Hospital of Northern Cambria County is not being granted the same privilege and the same consideration as the other 170 hospitals in Pennsylvania.

At this time, Mr. President, I would like to interrogate the gentleman from Warren, Dr. Chapman.

The PRESIDING OFFICER. Will the gentleman from Warren permit himself to be interrogated.

Mr. CHAPMAN. I will, Mr. President.

Mr. HALUSKA. Dr. Chapman, will you tell me and tell this body what will be very interesting for all of us, I know: on what basis you arrived at when you decided how much money shall be appropriated to a certain hospital. How do you arrive at that conclusion?

Mr. CHAPMAN. By a sworn statement from the hospital management.

Mr. HALUSKA. Can the gentleman from Warren tell me how many free days we had according to our sworn statement.

Mr. CHAPMAN. I do not know offhand.

Mr. HALUSKA. Could the gentleman look it up before this session is over?

Mr. CHAPMAN. I suppose I could.

Mr. HALUSKA. Dr. Chapman, before you get those figures, do you think that the Miners Hospital of Northern Cambria County should be entitled to the same rate, by their statement, as other hospitals?

Mr. CHAPMAN. They all have the same rate. There are a great many hospitals in the state which are in the same predicament as the Miners Hospital at present; they

do not receive their full allotment, but what they ought to receive.

Mr. HALUSKA. Can the gentleman from Warren name me one hospital in Pennsylvania that is not receiving its full allotmentfl

Mr. CHAPMAN. I have a dozen here I could name. There are four hospitals in the district of the gentleman from Cumberland that do not receive it.

Mr. HALUSKA. Are they getting four dollars a day for the patients they do serve?

Mr. CHAPMAN. No, not at present; it has been $3.50.

Mr. HALUSKA. That is right. Are they getting $3.50?

Mr. CHAPMAN. They have been up to this time.

Mr. HALUSKA. Would the gentleman from Warren say that the Miners Hospital of Northern Cambria has been getting $3.50?

Mr. CHAPMAN. I would say yes.

Mr. HALUSKA. Would the gentleman from Warren for the information of the Senate, kindly get our sworn statement and then would the gentleman from Warren be willing to adjust that sworn statement to the rate of four dollars per day?

Mr. CHAPMAN. I could not do that because then we would have to adjust all the rest of the hospitals on that same basis.

Mr. HALUSKA. Would the gentleman from Warren tell me what percentage the Committee on Appropriations has arrived at to pay to these hospitals?

Mr. CHAPMAN. I might say that the Miners Hospital has received an advance of $3,000 for the next biennium over the present biennium.

Mr. HALUSKA. What percentage of the free patient list would that be?

Mr. CHAPMAN. I do not understand.

Mr. HALUSKA. On the basis of an appropriation of $45,000 for the past year, based on $3.50 and not $4, what percentage would that be.

Mr. CHAPMAN. I do not understand the question.

Mr. HALUSKA. We are getting $45,000 for the next biennium; is that correct?

Mr. CHAPMAN. That is right.

Mr. HALUSKA. At the rate of $3.50 per day we have given service to the amount of $82,236 and if we are receiving $4 per day it would total $90,457.50.

Mr. CHAPMAN. I might say, Senator, that the second questionnaire was submitted after I had introduced the resolution raising the rate to $4 a day.

Mr. HALUSKA. This revised statement was made up by a well-known firm of auditors, for whom I have the greatest respect. However, if you go by the new statement made up by the accountants of our hospital, are you willing to adjust our hospital on the basis of the statement you have in your files.

Mr. CHAPMAN. We adjusted it according to its merits, taking all the rest into consideration.

Mr. HALUSKA. Would the gentleman from Warren say according to political merits or just its merits.

Mr. CHAPMAN. No; on its merits. I do not pretend to know anything about politics. Politics is not played in our committee.

Mr. HALUSKA. I want to tell my many colleagues on the other side of the Senate, who are business men, who are fair and who have told me in person that they definitely agree with me there must be something wrong with this appropriation—I will not break any confidence by using any names, because I have the highest respect for all my colleagues, but I say to you, Mr. President, that the greatest portion of the members on the other side of the Senate, with whom I have discussed my problem, have informed me that they would do all within their power to have some adjustment made at this time. What happened in their caucus I do not know, nor do I care, because I can not do anything about it.

I am going back home and tell my people of the injustice handed out to this hospital. I shall take it upon myself, if the Lord spares me between now and the next session, to devote the balance of my time, if need be, to bring before this body a true authentic statement of every hospital in Pennsylvania—I shall make that a public service—and then I hope to show that definitely the Miners Hospital has been discriminated against. At this time I can not be too severe with Dr. Chapman, because he trusted a man on the outside, a man who is not competent and does not wish to be; he made up his figures and he is too proud to recede.

Here is the thing which might happen to the thousands of people we must serve throughout the next biennium; I must go back, as I did a year ago, and ask every school child in my district to bring a dime to that hospital, to be able to buy drugs, buy bandanges, buy medicines and buy food. We must continue despite the fact we are being turned down tonight. The people of northern Cambria county have no other place to go. The hospital must operate if it takes the last nickel I have of my own. All I am asking for is justice, nothing for myself, only for my hospital, only what they are entitled to. I am disappointed, I am very much disappointed, to think I came to a body of this type here, a body of businessmen, honest men, men of intelligence, with figures, with facts, and despite that one man is able to hold up the entire situation. It would make little difference if you gave us $200,000; if we do not earn it we can not keep it, it must be returned, but it makes a great deal of difference when you give us less than half of what we earn and at the same time you expect us to treat humanity. If that is your policy of treating humanity, God bless the Commonwealth.

What burns me up most of all is the appropriations you make to commissions to investigate—we passed upon a bill here to give a commission $50,000 to bring facts to this body, and I have come here with facts that have not cost you a cent and they are ignored.

So, Mr. President, we will continue, we will get along, and this Legislature, despite the men who are honest and fair, will have to go down with myself and bow our heads in shame, and if that place should close they will all bow their heads in shame, it will haunt them, because they will know full well that I am being mistreated on this appropriation. I think every member here is in sympathy with me because they know full well what this money is being spent for.

When I left home we had six soldier boys from the Pacific and they were out in the hallways because there was no other place to put them, men who would give their lives, they became our charges, we had to buy the most expensive drugs, they had to be provided with special diets, and what all it takes to run a hospital and they are all waiting, waiting patiently, thinking that when this session was over we would be able to do those things, but

you have failed us and I am sorry, I am disappointed, and I am heartbroken.

Mr. WALKER. Mr. President, I am very reluctant to prolong this discussion or debate because of the hour, and I will be just as brief as I possibly can.

We are all deeply sympathetic with the gentleman from Cambria, Senator Haluska, and the problem of the hospital involved in this discussion, and while I sympathize with his disappointment I disagree with some of the expressions which he used to express his disappointment, because I do not think it is right for him to imply—and I know it was unintentional on his part—that there was any discrimination against the gentleman from Cambria or against his district or his hospital by the Chairman of the Senate Committee on Appropriations.

I want to say to the gentleman from Cambria that there is not one of us, who has a hospital in his district, who would not like to get an appropriation in excess of the sum set aside for his hospital in House Bill No. 1278. We would all like to take back more money to our districts.

And I also want to say to the gentleman from Cambria that we appreciate his problem. There are a number of hospitals in my senatorial district, and my esteemed colleague from Allegheny, Senator Geltz, also has a number of hospitals in his district, and for this biennium they are receiving slightly less than they did in the preceding biennium and the reason for that, of course, is obvious when you consult the questionnaire filed by the institutions in question.

I want to emphasize to the gentleman from Cambria, Senator Haluska, that it is not a question of discrimination; it is a question of trying to meet the requirements set forth in that questionnaire.

I do not think the Commonwealth attempts to assume the responsibility of taking a hundred per cent care of the various hospitals set forth in House Bill No. 1278. These appropriations are appropriations on the part of the Commonwealth to help to carry the expenses incurred by the institutions in the taking care of the people who are unable to pay for their own hospitalization; it is not an attempt on the part of the Commonwealth to underwrite a hundred per cent the expenses of the institutions. If we were to increase the amount granted to the hospital in the district represented so ably by the gentleman from Cambria, Senator Haluska, then in like equity the appropriations to the hospitals in the districts represented by my colleague, Senator Geltz, the hospitals in the district represented by my colleague, Senator Barr, the hospitals in the district represented by the gentleman from Cumberland, Senator Wade, the hospitals in the districts represented by our President pro tempore, the distinguished gentleman from Dauphin, Senator Taylor, would all have to be increased, because equity seeks equity, and therefore suddenly you would find that this sum of $8,735,550 would be enormously increased.

The gentleman from Cambria suggested that he was not invited to attend a meeting of the Committee on Appropriations and I want to say to the gentleman from Cambria, Senator Haluska, that I have attended frequent meetings of that committee, and I did not receive a special invitation; I heard a notice of the meeting read from the desk and I made a notation as to when the meeting would be held—and usually they were early in the morning, that I will admit—and we attended them and did the best we could with the tools we had.

Mr. President, I do not think this record should be closed on this particular incident with a suggestion that there had been any discrimination on the part of the gentleman who is at the head of the Committee on Appropriations. I think that he has done a grand job in being not only the watch-dog of the treasury, in his unhappy life as Chairman of the Committee on Appropriations, but he has been zealous in appreciating the responsibility entrusted to him by the President pro tempore, who made the appointment, and he has very diligently discharged that responsibility; he has visited practically every hospital which receives an appropriation from the Commonwealth; he has investigated them and taken a personal interest in the hospitals, because his life-work has been that of a doctor of medicine, and he has been more than fair in giving the members of this Senate an opportunity to discuss their local problems, and I think in all fairness to the gentleman from Warren that this record should show that it was not the intent on the part of the gentleman from Cambria to imply that the gentleman from Warren had been unfair, unjust or inequitable in trying to solve the problem which has been created in Cambria county, which is represented by the distinguished gentleman, Senator Haluska.

Mr. HALUSKA. Mr. President, I appreciate the remarks made by the gentleman from Allegheny, Senator Walker, and under the circumstances he did a good job, but I would hesitate very much, Mr. President, to get up and discuss a bill pertaining to his profession, because I would feel I would be entirely out of order. I am a hospital superintendent and he is a lawyer, and yet he tried to give us the picture, but I am very fearful the gentleman from Allegheny, Senator Walker, is not too well acquainted, and rightfully so, it is not his business to be closely associated with a hospital and to know how they make up their appropriations.

The gentleman from Allegheny mentioned that he would like to have more money for the hospitals in his district. That means nothing. In the same breath he admitted they were getting somewhat less now than last year, and that is for one reason only. Your hospital, Senator Walker, failed to earn the appropriation, and therefore the money must be returned, and therefore asking for more money means little, if you fail to earn your appropriation.

I would like to interrogate the gentleman from Allegheny for a moment, if I may.

The PRESIDING OFFICER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Does the gentleman from Allegheny know what basis was used by the Committee on Appropriations to determine the amount of money a hospital should get? To be more explicit, if you earned $100,000, what percentage was used to make up the appropriation; does the gentleman from Allegheny know that?

Mr. WALKER. No, I do not.

Mr. HALUSKA. I did not think the gentleman from Allegheny did, because I understand they have decided to give 78 per cent, and if 78 per cent is the correct basis to be applied to all hospitals, if you earn $100,000, that would give you $78,000, and so on down the line.

Mr. President, if the hospital I represent should get 78 per cent of what it earned, it would receive $25,000 to $35,000 more than it is getting now. I say finally that the Miners Hospital of Northern Cambria County is getting less, gentleman, on a percentage basis than any other hospital in the Commonwealth of Pennsylvania. No man in this chamber can show me that I am wrong. Why are they getting less on a percentage basis? There must be some motive back of it. If I am wrong I would like to be heard, because I hate to leave here and go back home and have to tell my people that I have been discriminated against, but I have no other alternative—I must go back and tell them that. I must draw my own conclusions. They may be wrong, but it is not too late yet to have somebody rise in place and try to prove my statement was wrong, when I say that the percentage basis given to our hospital is at least thirty-five per cent less than any other hospital. If it were five per cent, three per cent or even ten per cent less, I might overlook it but, gentlemen, when it is thirty or thirty-five per cent, it is food for thought, and to me it is food for thought, and so again I say I am disappointed, something is wrong. I will not suffer but humanity will suffer by your actions.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1279, as follows:

An Act to repeal the act approved the tenth day of April one thousand eight hundred seventy-three (P. L. 664) entitled "An Act relating to the return days of the several courts of Dauphin County"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of April one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 658

Mr. BERGER. Mr. President, I present the report of the Committee of Conference on Senate Bill No. 658, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 658, entitled: "An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions, and the payment of such compensation; providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' changing the provisions thereof and the rights, obligations and procedure thereunder."

Respectfully submit the following bill as our report:

JAMES S. BERGER,
A. H. LETZLER,
LOUIS KLEIN,
(Committee on the Part of the Senate.)

DAVID P. REESE, JR.,
JACK J. McDOWELL,
REUBEN E. COHEN,
(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of December one thousand nine hundred and thirty-six 1937 (P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 271) and by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) [“Base year” with respect to an individual means the period of twelve consecutive months ending the thirty-first day of December immediately preceding the first day of a benefit year Providing however That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three the base year of such benefit year shall be the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year]

“Base Year” with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the calendar year one thousand nine hundred and forty-four and with respect to each benefit year which begins subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year

(b) [“Benefit year” with respect to an individual means the period of twelve consecutive months ending thirty-first day of May Provided however That (for the purpose of this subsection only) a week in which a benefit year begins shall be deemed to be in that benefit year which includes the major part of such week and Provided further That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three such benefit year shall be the period defined in this subsection prior to the effective date of this amendment and such individual's next benefit year shall extend from the end of such current benefit year to the thirty-first day of May one thousand nine hundred and forty-four]

“Benefit Year” (i) with respect to an individual who files a “Valid Application for Benefits” as of a day subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the period beginning with the day for which such “Valid Application for Benefits” is filed and ending the thirty-first day of May one thousand nine hundred and forty-six (ii) with respect to an individual who files a “Valid Application for Benefits” as of a day subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the one-year period beginning with the day as of which such “Valid Application for Benefits” is filed and (iii) thereafter the one-year period beginning with the day as of which such individual next files a “Valid Application for Benefits” after the termination of his last benefit year

[(b.2) A “First Compensable Claim” means a claim for the first week of total unemployment for which compensation is payable in a benefit year]

* * * * * *

(e) “Compensation Employe” (i) with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means an employe to whom compensation equal to three times his weekly benefit rate was paid with respect to such benefit year Provided That an employe who is paid compensation under the provisions of section four hundred and seven shall not be considered a “Compensated Employe” with respect to the payment of such compensation and Provided further That when an employe has been paid compensation to which he was not entitled such payment shall not be considered in determining whether or not the employe has been paid compensation equal to three times his weekly benefit rate except that this provision shall not affect the computation of an employer's rate of contribution if such payment was not determined erroneous prior to such computation unless such payment was determined erroneous under a court decision and (ii) with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means an employe to whom compensation was paid in such benefit year

[(e)] (f) “Compensation” means money payments payable to individuals with respect to their unemployment as provided in this act

[(f)] (g) “Contributions” means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

[(g)] (h) “Department” means the Department of Labor and Industry of the Commonwealth of Pennsylvania

[(h)] (i) “Employe” means every individual whether male female citizen alien or minor who is performing or subsequent to January first one thousand nine hundred and thirty-six has performed services for an employer in an employment subject to this act

[(i)] (j) “Employer” means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty (20) days each day being in a different calendar week during the calendar year one thousand nine hundred and thirty-six or during any calendar year thereafter to and including the calendar year one thousand nine hundred and forty-four or who or which employed or employs any employe in employment sub-

ject to this act for some portion of a day during the calendar year one thousand nine hundred and forty-five or for some portion of a day during any calendar year thereafter [each day being in a different week] or (II) who or which has elected to become fully subject to this act and whose election remains in force

[Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such employer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor] Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

[Wherever a change of ownership or transfer of interest of the assets or substantially all the assets of an organization trade or business occurs within a calendar year the successor in interest is deemed to be an employer within the meaning of this section if and when (1) the predecessor and successor in interest within the same calendar year have together employed one or more employes (whether or not the same employe) for some part of twenty (20) different weeks in employment subject to this act (2) the predecessor was an employer under this act]

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes with respect to which no contributions are required and paid under an unemployment compensation law of any other state (1) if the employe or employes included in such election maintain a domicile within this Commonwealth and the services of such employe or employes are performed entirely without this Commonwealth or (2) if the employe or employes included in the election maintains no domicile within this Commonwealth but the services of such employe or employes are (A) performed without this Commonwealth and (B) are directed from this Commonwealth

Such election shall be subject to the approval of the department [the election] and shall beccme binding for not less than two calendar years [or until the department on its own motion cancels the election]

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection [(j)] (1) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of the first day of January [first] of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election Notwithstanding any provisions of this subsection to the contrary the department may at any time on its own motion cancel an election approved under the provisions of this subsection

(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employe" as defined in subsection (y) of this section paid by an employer to all of his compensated employes during the last three calendar years less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such three calendar years by the total wages paid by the employer to all his employes during such three calendar years

[(j)] (1) (1) "Employment" means (i) all service performed prior to the first day of January one thousand nine hundred [forty-two] forty-five which was employment as defined in this section prior to [such date and subject to the provisions of this subsection as amended] the effective date of this amendment and (ii) all service performed after the thirty-first day of December one thousand nine hundred [forty-one] forty-four which is employment as defined in this section as hereby amended including service in interstate commerce and service as an officer of a corporation performed for remuneration or under any contract of hire express or implied written or oral

* * * * * *

(3) "Employment" shall also include

(A) Services covered by an election pursuant to section 4 [(i)] (j) of this act and

* * * * * * *

(C) Notwithstanding any other provisions of section four (1) an individual's' entire service as an officer or member of a crew of an American vessel wherever performed and whether in intra-state or inter-state or foreign commerce if the employer maintains within this state the operating office from which the operations of the American vessel in respect to which such services are performed are ordinarily and regularly managed supervised and controlled

(4) The word "employment" shall not include

* * * * * *

(2) [Domestic] Casual labor not in course of employer's trade or business and domestic service in a private home local college club or local chapter of a college fraternity or sorority

[(2.1) Casual labor not in course of employer's trade or business]

(3) Service performed as an officer or member of the crew of a vessel [on the navigable waters of the United States] not an American vessel

* * * * * *

(10) Service performed in the employ of [a labor] an agriculture or horticultural organization exempt from income tax under Section 101 (1) of the Federal Internal Revenue Code as amended

* * * * * *

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or dis-

tribution to any point for subsequent delivery or distribution

[If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) hereof]

* * * * * *

(5) If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) of subsection (1) (4) of this section

(6) Nowithstanding any of the other provisions of section four (1) services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State Unemployment Compensation Fund

[(k)] (m) "Employment Office" means a public employment office or branch thereof operated by the department or by any other state or by the Federal Government under agreement with the department

[(m)] (n) "Referee" means a referee appointed [by the Governor] to hear appeals under this act

[(n)] (o) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

[(o)] (p) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

[(p)] (q) "Social Security Board" means the Social Security Board established by the Social Security Act

[(q)] (r) "State" includes Alaska Hawaii and the District of Columbia

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such Fund during the last three completed calendar years by the total wages of all compensated employes as defined in subsection (y) of this section for such three calendar years such percentage to be adjusted to the nearest multiple of one percentum

[(r)] (t) "Suitable Work" means all work which the employe is capable of performing [except work in which] In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness prior training and experience and the distance of the available work from his residence. The department shall also consider among other factors the length of time he has been unemployed and the reasons therefor the prospect of obtaining local work in his customary occupation his previous earnings the prevailing condition of the labor market generally and particularly in his usual trade or occupation prevailing wage rates in his usual trade or occupation and the permanency of his residence However notwithstanding any other provisions of this subsection no work shall be deemed suitable in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organzation

[(s)] (u) "[Total] Unemployment" An individual shall be deemed [totally] unemployed with respect [(1)] to any week during which he performs no services [for which] and with respect to which no remuneration is paid or payable to him or [(2) to any week of less than full-time work if the remuneration paid or payable to him does not exceed three dollars ($3.00)] with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed in accordance with rules and regulations of the department remuneration paid or payable with respect to the week or weeks for which such payments are made

[(t)] (v) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(w) A "Valid Application for Benefits" means an application for benefits on a form prescribed by the department which is filed by an individual as of a day not included in the benefit year previously established by such individual who is qualified under the provisions of Section four hundred and one (a)

[(u)] (x) "Wages" means all remuneration for employment (including the cash value of mediums of payment other than cash) paid with respect to all services performed subsequent to December thirty-first one thousand nine hundred and forty-one and paid or payable with respect to all services performed prior to January first one thousand nine hundred and forty-two except that the term "wages" shall not include

(1) That part of the remuneration which after remuneration equal to three thousand dollars ($3,000) has been paid [or becomes payable] to an individual by an employer with respect to employment during [or for] any calendar year is paid [or becomes payable] to such individual by such employer with respect to employment during the calendar year one thousand nine hundred and forty and during each calendar year thereafter

(2) The amount of any payment made to or on behalf of an employe under a plan or system established by an employer which makes provision for his employes generally or for a class or classes of his employes (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employe (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit

is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employe) of the tax imposed upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments made by an employer to employes while in the military or naval service of the United States and performing no services for the employer

(y) "Wages of a Compensated Employe" with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars ($1,366) in wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year an dwhich wages shall be treated as though they had been paid in the calendar year in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employe's weekly benefit rate

[(v)] (z) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(z.1) "American vessel" means any vessel documented and numbered under the laws of the United States including any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state

(z.2) "Shipping Articles" means 'Articles of Agreement' purporting to comply with section five hundred sixty-four of Title forty-six of the United States Code or any other agreement under which officers or members of the crew are employed on the high seas and under which they are not entitled to a final settlement of wages until the termination of the period of the employment

Section 2 Section two hundred and two of said act as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) is hereby further amended to read as follows

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such offices and in the department as he may deem necessary to administer this act subject to the provisions of [section two hundred and eight of this act] the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752)

The department is authorized to cooperate with or to enter into agreements with the Railroad Retirement Board or any other agency of the United States charged with the administration of an unemployment compensation law with any political subdivision of this State or with any private nonprofit organization with respect to the establishment maintenance and use of free employment service facilities and free public employment offices and as a part of any such agreement may accept moneys services or quarters as a contribution to the administration fund

Section 3 Clause (e) of section two hundred and three of said act is hereby amended to read as follows

(e) The Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board Such appointment shall be subject to the provisions of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752) Provided That any person who on the first day of April one thousand nine hundred and forty-five was employed as a referee may make application to the Civil Service Commission prior to the first day of July one thousand nine hundred and forty-five for appointment as a referee under the regular classified service and notwithstanding any provisions of said act or any other act to the contrary upon finding by said Commission that he or she possesses the minimum qualifications therefor shall be so appointed Any other person appointed as referee subsequent to the first day of April one thousand nine hundred and forty-five shall be appointed only in the manner provided in said act for employes in the classified service

Section 4 Section two hundred and six of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 206 Records of and Reports by Employers Each employer (whether or not liable for the payment of contributions under this act) shall keep accurate employment records containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board [and] the officers and employes of the department and [the Social Security Board] other public employes in the performance of their public duties but any [claimant] employe or employer at a hearing on an appeal [of his claim] shall upon request be supplied with information from such records to the extent necessary for the proper presentation and consideration of [his claim] the appeal.

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

[Any employer required to file with the department any report necessary to enable the department to determine the amount of any contribution owing by such employer who shall neglect or refuse to do so within five days after the time such report should have been filed shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of five dollars which shall be in addition to all other penalties provided for in this act]

Any employer who has been determined by the department to be subject to the reporting provisions of this act and has been so notified and who neglects or refuses to file either the periodic report required by the department to establish the amount of such contributions or the periodic report required by the department showing the amount of wages paid to each employe or both on or before the date such reports are required to be filed shall pay a penalty of five dollars ($5.00) Such penalty shall apply to the reports for each period with respect to which such reports are required to be filed Provided

That such penalty shall not apply to reports for any period with respect to which the last day for filing such reports is prior to a date on which the department has notified the employer that he has been determined an employer subject to the reporting provisions of this act unless the reports for such prior periods are not filed within thirty days after the employer has been so notified The penalties provided by this section shall be in addition to all other penalties provided for in this act

Section 5 Section three hundred and one of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred and forty-three (P. L. 639) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contributions equal to the following percentages of wages paid or payable by him or it with respect to employment occurring prior to the first day of January one thousand nine hundred and forty-two

(1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

(2) One and eight tenths per centum with respect to employment occurring during the calendar year 1937

(3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 and 1941 [1942 and 1943]

[(4) A basic rate of two and sevent-tenths per centum with respect to employment occurring during the calendar year 1944 and for each calendar year thereafter but the rate of contribution of each employer who has paid contributions under this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year beginning with employment occurring during the calendar year 1944 between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with clause (c) hereof and for each calendar quarter in accordance with clause (f) hereof]

(b) [For the purposes of this section

(1) "Compensated Employe" means an employe to whom compensation was paid in a benefit year

(2) "Wages of a compensated employe" means wages which were paid to a compensated employe in the base year immediately preceding the employe's benefit year which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid

(3) "Credit for reemployment" means for each employer the total of the amounts allowed as herein set forth for any former employes reemployed by him or employes resuming work commencing with the benefit years which begin in the calendar year nineteen hundred forty-one An employer who desires such a "credit for reemployment" shall notify the department in wrting within thirty days after the end of the employe's benefit year that he reemployed within such benefit year a compensated employe For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act whichever date is later If the department finds that any such employe did not receive benefits within such benefit year in excess of seventy-five per centum of the maximum benefits payable to him in the benefit year then for the determination of the "employer's experience" the total wages paid to such compensated emloyes shall be reduced by an amount equal to the percentage indicated in the following table

Maximum benefits received by an employe during a benefit year	Credit against wages paid to a compensated employe
Not more than 25%	75%
More than 25% and not more than 50%	50%
More than 50% and not more than 75%	25%

Such credits for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter shall be made for the calendar year in which the finding is made by the department and no attempt shall be made to relate such credits to the period in which the reemployment occurred

(4) "Employer's Experince" means a percentage obtained by dividing the total wages paid by an employer to his compensated employes less any credit for reemployment during the last three completed calendar years by the total wages paid by said employer to all his employes during such three calendar years

(5) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation during the last three completed calendar years by the total wages of all compensated employes for such three years such percentage to be adjusted to the nearest multiple of one per centum]

Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him or it with respect to employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one Provided That notwithstanding the provisions of this section prior to the effective date of this amendment with respect to wages paid during the calendar year one thousand nine hundred and forty-four for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during the calendar year one thousand nine hundred and forty-five for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted according to the provisions of this act prior to the effective date of this amendment and provided further that with respect to wages paid during the calendar year one thousand nine hundred and forty-six for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during each calendar year thereafter for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if the employer has paid contributions under this act one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable Notwithstanding the provisions of section three hundred eleven any employer who prior to the enactment of this amendment may have paid contributions on wages paid during the calendar year one thousand nine hundred forty-four or one thousand nine hundred forty-five for employment occurring prior to the first day of January one thousand nine hundred forty-four at a rate of two and seven-tenths per centum such employer shall not be entitled to a refund of any portion of such contributions paid on the basis that this amendment reduces the amount of contributions required to be paid with respect to such wages but such employer may make application for adjustment in connection with subsequent contribution payments as provided in section three hundred eleven of any amount which he has paid with respect to such wages which is in excess of the amount of contributions required to be paid with respect to such wages under the provisions of this act as amended Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employe

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year commencing with the pear one thousand nine hundred and forty-four shall be determined prior to the due date of his first contribution for the year in accordance with the following table

TABLE

State Experience	Employer's Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there first appears a percentage equal to or in excess of the Employer's Experience If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenths per centum

(e) No employer's rate of contribution for any calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the third calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of December [31st] of such preceding calendar year and all his contributions on wages paid during the fourth calendar quarter of the preceding calendar year have been paid when due

(f) Safety factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter commencing with the calendar quarter ending [March 31 1944] the thirty-first day of March one thousand nine hundred and forty-four the balance in the Unemployment Trust Fund to the credit of the [State] Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employes [for the calendar year immediately preceding the determination] paid during the first four of the last five completed calendar quarters as reported to the department by the end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made

Balance in fund	Employer's Rate of Contribution determined in accordance with paragraph (d)				
	1%	1.5%	2.0%	2.5%	2.7%
Employer's [final] adjusted rate of contribution on wages paid during the calendar quarter at the end of which the adjusted rate is computed [for employment in the previous completed calendar quarter]					
8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0% and less than 8.1%	1.1	1.6	2.1	2.6	2.7
7.9% and less than 8.0%	1.2	1.7	2.2	2.7	2.7
7.8% and less than 7.9%	1.3	1.8	2.3	2.7	2.7
7.7% and less than 7.8%	1.4	1.9	2.4	2.7	2.7
7.6% and less than 7.7%	1.5	2.0	2.5	2.7	2.7
7.5% and less than 7.6%	1.6	2.1	2.6	2.7	2.7
7.4% and less than 7.5%	1.7	2.2	2.7	2.7	2.7
7.3% and less than 7.4%	1.8	2.3	2.7	2.7	2.7
7.2% and less than 7.3%	1.9	2.4	2.7	2.7	2.7
7.1% and less than 7.2%	2.	2.5	2.7	2.7	2.7
7.0% and less than 7.1%	2.1	2.6	2.7	2.7	2.7
6.9% and less than 7.0%	2.2	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.3	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.4	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.5	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.6	2.7	2.7	2.7	2.7
[6.4 or less] Less than 6.5%	2.7	2.7	2.7	2.7	2.7

(g) Successor-in-interest (1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) An employer who subsequent to the thirty-first day of December one thousand nine hundred and forty-five transfers his or its organization trade or business in whole or in part to a successor-in-interest may jointly make application with such successor-in-interest for transfer of the "Employer's Experience" of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer The department may allow such transfer of "Employer's Experience" pursuant to rules and regulations adopted by the department only if it finds that the "Employer's Experience" of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future "Employer's Experience" of the successor-in-interest In the event of a part transfer of an employer's organization trade or business only that portion of the "Employer's Experience" relating to the portion of the organization trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred A transfer of "Employer's Experience" in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be which has been thus transferred

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f) The department shall [promptly upon written request from him] furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes [the amount of benefits paid each of such employes and the period of unemployment for which they were paid] and the benefit year to which such wages relate The determination of the department shall become conclusive

and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the department's redeterminatiton both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the secretary or his deputy The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section

(k) [The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature which meets after the President of the United States declares that the present state of war no longer exists]

Each employer shall be given notice of the filing of applications for benefits by his former employes as provided in section five hundred one Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any wages of a compensated employe on the grounds that he was not given sufficient or adequate notice or opportunity to be heard

(l) The provisions of this section shall be effective only for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the Legislature which meets after the President of the United States declares that the present state of war no longer exists

Section 6 Section three hundred and three of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby repealed

Section 7 Sections three hundred and eight point one three hundred and eleven and subsection (d) of section three hundred and twelve of said act as amended or added by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) are hereby amended or further amended as the case may be to read as follows

Section 308.1 Contributions to Be Liens Entry Thereof All contributions and the interest and penalties thereon due and payable by an employer under the provisions of this act shall be a lien upon the franchises and property both real and personal of the employer liable therefor from the date a lien for such contributions interest and penalties is entered of record in the manner hereinafter provided Whenever the franchises or property of an employer is sold at a judicial sale all contributions and the interest and penalties thereon thus entered of record shall first be allowed and paid out of the proceeds of such sale in the same manner and to the same extent that State taxes are paid Provided however That the lien hereby created shall not be prior to pre-existing duly recorded real estate mortgages [subject nevertheless to the order of distribution prescribed in Section 310 hereof] The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for unpaid contributions interest and penalties which may now exist or hereafter arise upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 311 Refunds and Adjustments [If not later than four years from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected for any reason whatever the department shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of moneys to the credit of the Employers' Contribution Account in the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department]

If any individual organization shall make application for refund or credit of any amount paid as contribution interest or penalties under this act and the department shall determine that such amount or any portion thereof was erroneously collected the department may at its discretion either allow a credit therefor without interest in connection with subsequent contribution payments or shall refund from the Unemployment Compensation Fund without interest the amount erroneously paid Provided That an amount equal to any refund or credit of interest and penalties allowed as provided herein shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund irrespective of whether such interest or penalties were paid into the Unemployment Compensatiopn Fund or into the Special Administration Fund No refund or credit shall be allowed with respect to a payment as contributions interest or penalties unless an a plication therefor shall be made on or before whichever of the following dates shall be the later (a) one year from the date on which such payment was made or (b) four years from the last day of the reporting period with respect to which such payment was made For a like cause and within the same period a refund may be so made or a credit allowed on the initiative of the department

Section 312 Reciprocal Agreements

* * * * * *

(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of this act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for [such] reimbursement to the fund of such contributions [and the actual earnings thereon as the department finds will be fair and reasonable as to all affected interests]

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits

for all the purposes of this act The department is authorized to make to other state or Federal agencies and to receive from such other state or Federal agencies reimbursements from or to the fund in accordance with arrangements entered into pursuant to this section

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging services and making available facilities and information The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public unemployment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security law of this State or under a similar law of such government

(e) Services performed on vessels engaged in interstate or foreign commerce for a single employer wherever performed shall be deemed to be performed within this State or within such other states

Section 8 Section four hundred and one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes [totally] unemployed [on or after January first one thousand nine hundred thirty-eight] except that payment with respect to weeks ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be made only for weeks of total unemployment as provided in section four hundred and four (c) and who

(a) Has within his base year been paid wages [of fifty dollars in each of two separate calendar quarters during his base year] for employment equal to not less than thirty (30) times his weekly benefit rate

(b) Has registered for work at [a designated employment office at such times and in such manner as the department may prescribe] and thereafter continued to report at an employment office in accordance with such regulations as the secretary may prescribe except that the secretary may by regulation waive or alter either or both of the requirements of this clause as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of the act Provided however That no such regulation shall conflict with section four hundred and one (c) of this act

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner and on the form prescribed by the department

(d) Is able to work and available for suitable work and

(e) Has been [totally] unemployed for a waiting period of [at least two weeks prior to the week for which the first compensable claim is filed The two weeks of total unemployment need not be consecutive] one week

No week shall be counted as a week of [total] unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which such employe claims compensation [Provided That the two weeks immediately preceding a benefit year shall be deemed (for the purpose of this subsection only) to be within such benefit year] or (2) if compensation has been paid or is payable with respect thereto or (3) unless the [individual] employe was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under section 402 (a) (b) [and] (d) (e) and (f)

Section 9 Section four hundred and two of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 337) is hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation [or waiting period credit] for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by [his previous employer In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence] any employer Provided That such employer simultaneously notifies the employment office of such offer

(b) In which his unemployment is due to voluntarily leaving work without good cause Provided That no employe shall be deemed to be ineligible under this section where as a condition of continuing in employment such employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions In determining whether or not an employe has left his work voluntarily without good cause the department shall give consideration to the same factors insofar as they are applicable provided with respect to the determination of suitable work under section four (t)

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) In which [the employe's total] his unemployment is due to a voluntary suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed [but this disqualification shall apply only to the week in which the suspension occurred and for the three consecutive weeks of total unemployment which immediately follow such week] Provided That this disqualification shall apply only to any week of unemployment which in whole or in part includes any part of a period beginning with the day on which such suspension occurs and ending with (i) the last day of the fourth calendar week immediately following the calendar week in which such suspension occurs or (ii) the day on which such suspension was terminated whichever is the earlier

(e) In which his unemployment is due to his discharge or temporary suspension from work for willful misconduct connected with his work

(f) Which in whole or in part includes any part of the two week period which immediately follows each period of employment under Shipping Articles

Section 10 Sections four hundred and four and four

hundred and seven of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) are hereby further amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid with respect to each eligible employe whose benefit year [began] begins prior to June first one thousand nine hundred [and forty-three] forty-five in accordance with the provisions of this act prior to that date and with respect to each eligible employe whose benefit year begins subsequent to May thirty-first one thousand nine hundred and [forty-three] forty-five [and who is totally nemployed and is not disqualified under any provisions of this act at a weekly rate and for a number of weeks to be determined in accordance with the following provisions by reference to Table I if the balance in the Unemployment Compensation Fund is in excess of one and one-half times the highest amount paid out for compensation during any twelve consecutive months or to Table II if the balance in said fund is equal to or less than one and one-half times the highest amount paid out for compensation during any twelve consecutive months as set forth in the tables in this section] in accordance with the following provisions of this section

(a) The employe's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his highest quarterly wage"

[(d)] (b) The "highest quarterly wages" of an employe shall be the total wages (computed to the nearest dollar) which were paid to such employe in that calendar quarter in which such total wages were highest during the base year

(c) Each eligible employe who is totally unemployed with respect to any week ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate No payment shall be made for any week ending during such period unless the employe has been totally unemployed with respect to such week and has served one waiting week as required under section four hundred one (e) Provided That with respect to such week the employe has been totally unemployed For purposes of this subsection an employe shall be deemed totally unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or to any week of less than full-time work if the remuneration paid or payable to him with respect to such week does not exceed three dollars ($3.00)

(d) Each eligible employe who is unemployed with respect to any week ending the first day of January one thousand nine hundred and forty-six or thereafter shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars ($3.00) such compensation if not a multiple of one dollar ($1.00) shall be computed to the next higher multiple of one dollar ($1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of eighteen dollars ($18)

(e) [The maximur number of weeks for which an employe may receive compensation for total unemployment during a benefit year shall b: the number of weeks which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year]

Any otherwise eligible employe shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employe shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of sixteen times the employe's weekly benefit rate or two hundred and eighty-eight dollars ($288) whichever is the lesser

(f). For purposes of this section and of section four hundred one (a) wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the respective calendar quarters in which the services of the employe were being performed

Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C				
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings				
		7 Weeks	8 Weeks	9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$100-209	$210-237	$238-265	$266-293	$294-321
213-237	9	221-235	236-267	268-298	299-330	331-361
238-262	10	247-262	263-297	298-332	333-367	368-402
263-287	11	273-288	289-326	327-365	366-403	404-442
288-312	12	299-314	315-356	257-398	399-440	441-482
313-337	13	325-340	341-385	386-431	432-476	477-522
338-362	14	351-366	367-415	416-464	465-513	514-562
363-387	15	377-393	394-445	446-498	499-550	551-603
388-412	16	403-419	420-475	476-531	532-587	588-643
413-437	17	429-445	446-505	506-564	565-624	625-683
438 or more	18	455-472	473-535	536-598	599-661	662-724

Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C				
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings				
		12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$322-349	$350-377	$378-405	$406-433	$434 or more
213-237	9	362-393	394-424	425-456	457-487	488 or more
238-262	10	403-437	438-472	473-507	508-542	543 or more
263-287	11	443-480	481-519	520-557	558-596	597 or more
288-312	12	483-524	525-566	567-608	608-650	651 or more
313-337	13	523-567	568-613	614-658	659-704	705 or more
338-362	14	563-611	612-660	661-709	710-758	759 or more
363-387	15	604-655	656-708	709-760	761-813	814 or more
388-412	16	644-699	700-755	756-811	812-867	868 or more
413-437	17	684-743	744-802	803-862	863-921	922 or more
438 or more	18	725-787	788-850	851-913	914-976	977 or more

Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C					
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings					
		6 Weeks	7 Weeks	8 Weeks	9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$100-207	$208-239	$240-271	$272-303	$304-335	$336-367
213-237	9	221-233	234-269	270-305	306-341	342-377	378-413
238-262	10	247-259	260-299	300-339	340-379	380-419	420-459
263-287	11	273-285	286-329	330-373	374-417	418-461	462-505
288-312	12	299-311	312-359	360-407	408-455	456-503	504-551
313-337	13	325-337	338-389	390-441	442-493	494-545	546-597
338-362	14	351-363	364-419	420-475	476-531	532-587	588-643
363 or more	15	377-389	390-449	450-509	510-569	570-629	630-689

Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C				
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings 12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$368-399	$400-431	$432-463	$464-495	$496 or more
213-237	9	414-449	450-485	486-521	522-557	558 or more
238-262	10	460-499	500-539	540-579	580-619	620 or more
263-287	11	506-549	550-593	594-637	638-681	682 or more
288-312	12	552-599	600-647	648-695	696-743	744 or more
313-337	13	598-649	650-701	702-753	754-805	806 or more
338-362	14	644-699	700-755	756-811	812-867	868 or more
363 or more	15	690-749	750-809	810-869	870-929	930 or more

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Weekly Quarterly Wages	Part B Weekly Benefit Rate	Part C Base Year Wages 9	10	11
$60-212	$8	$240-265	$266-293	$294-321
213-237	9	270-298	299-330	331-361
238-262	10	300-332	333-367	368-402
263-287	11	330-365	366-403	404-442
288-312	12	360-398	399-440	441-482
313-337	13	390-431	432-476	477-522
338-362	14	420-464	465-513	514-562
363-387	15	450-498	499-550	551-603
388-412	16	480-531	532-587	588-643
413-437	17	510-564	565-624	625-683
438-462	18	540-598	599-661	662-724
463-487	19	570-632	633-698	699-765
488 or more	20	600-665	666-735	736-805

Wages	Rate	12	13	14
$60-212	$8	$322-349	$350-377	$378-405
213-237	9	362-393	394-424	425-456
238-262	10	403-437	438-472	473-507
263-287	11	443-480	481-519	520-557
288-312	12	483-524	525-566	567-608
313-337	13	523-567	568-613	614-658
338-362	14	563-611	612-660	661-709
363-387	15	604-655	656-708	709-760
388-412	16	644-699	700-755	756-811
413-437	17	684-743	744-802	803-862
438-462	18	725-787	788-850	851-913
463-487	19	766-831	832-898	899-964
488 or more	20	806-875	876-945	946-1015

Wages	Rate	15	16	17
$60-212	$8	$406-433	$434-461	$462-489
213-237	9	457-487	488-519	520-550
238-262	10	508-542	543-577	578-612
263-287	11	558-596	597-634	635-673
288-312	12	609-650	651-692	693-734
313-337	13	659-704	705-749	750-795
338-362	14	710-758	759-807	808-856
363-387	15	761-813	814-865	866-918
388-412	16	812-867	868-923	924-979
413-437	17	863-921	922-981	982-1040
438-462	18	914-976	977-1039	1040-1102
463-487	19	965-1031	1032-1097	1098-1164
488 or more	20	1016-1085	1086-1155	1156-1225

Wages	Rate	18	19	20
$60-212	$8	$490-517	$518-545	$546 or more
213-237	9	551-582	583-613	614 or more
238-262	10	613-647	648-682	683 or more
263-287	11	674-711	712-750	751 or more
288-312	12	735-776	777-818	819 or more
313-337	13	796-840	841-886	887 or more
338-362	14	857-905	906-954	955 or more
363-387	15	919-970	971-1023	1024 or more
388-412	16	980-1035	1036-1091	1092 or more
413-437	17	1041-1100	1101-1159	1160 or more
438-462	18	1103-1165	1166-1228	1229 or more
463-487	19	1165-1230	1231-1297	1298 or more
488 or more	20	1226-1295	1296-1365	1366 or more

Section 407 [Status Preserved During and After Military or Naval Service The secretary is hereby empowered and directed to promulgate such rules and regulations as may be necessary to preserve the compensation rights of any employe who enters the armed forces of the United States subsequent to March thirty-first one thousand nine hundred forty and who is honorably discharged therefrom Such rules and regulations shall provide that the compensation rights of any such employe shall be preserved notwithstanding his entrance into the armed forces of the United States and such compensation rights shall not be adversely affected or prejudiced notwithstanding any inconsistent provisions of this act Provided however That no employe may be granted any right under the provisions of this section unless he shall have filed a claim for compensation within a period of one year from the date of such discharge And provided further That if under an Act of Congress payments with respect to unemployment of individuals who have completed a period of military service are payable by the United States such individuals shall be disqualified under this act for benefits until they have exhausted all their rights to such payments by the United States]

Compensation to Members of the Armed Forces An individual who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable after active service of ninety days or more or by reason of an injury or disability incurred in service in line of duty shall be entitled to payment of compensation as provided in section four hundred and four (c) (d) and (e) with respect to an employe who has been paid wages during his base year of one thousand three hundred and sixty-six dollars ($1366)) or more and whose highest quarterly wages during such base year have been four hundred and eighty-eight dolars ($488) or more Provided That (a) Such individual

(i) was employed in employment as defined in section 4 (l) at some time during the one-year period immediately preceding the date on which he entered active military or naval service and (ii) makes application for benefits under the provisions of this section in the proper manner and on the form prescribed by the department (iii) makes claim for compensation in the proper manner and on the form prescribed by the department with respect to employes making claim for compensation under the provisions of other sections of this act (iv) is qualified under the provisions of section four hundred and one (b) (d) and (e) (v) is not ineligible under the provisions of section four hundred and two and (vi) has exhausted all rights to which he may be entitled under Title V of the Act of Congress known as the "Servicemen's Readjustment Act of 1944"

(b) All claims for compensation filed pursuant to the provisions of this section shall be with respect to weeks ending within the two year period immediately following the date of such individual's discharge or release from active military or naval service

(c) The maximum amount of compensation payable to an individual under the provisions of this section as amended shall be reduced by the amount of compensation if any which has been paid or is payable to such individual under the provisions of this section prior to the effective date of this amendment

(d) No individual who is entitled to compensation

under the provisions of this section shall be entitled to compensation under any other provisions of this act with respect to wages paid prior to the date he entered active military or naval service and

(e) No compensation shall be paid under the provisions of this section with respect to weeks ending on a day more than five years subsequent to the termination of the present war

Section 11 Section five hundred and one of said act as amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 501 [Initial Determination of Compensation Appeals The department shall promptly examine any application for benefits or claim filed and on the basis of the facts found by it shall determine whether or not the application for benefits or claim is valid The determination of any application for benefits shall include the determination of the first day of the benefit year the weekly benefit rate and the number of benefit weeks payable The claimant and other affected parties shall be promptly notified of the decision and the reasons therefor in writing except that no notification shall be necessary when the department shall approve a claim for a week of total unemployment Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal]

Determination of Compensation Appeals

(a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the "Employer's Experience" of a base year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base year employer and Provided further That no notice need be given to a base year employer who has been released by the departmnt from filing contribution reports

(b) Notice shall be given in writing to the last employer of the claimant stating that an application has been filed by the designated employe

(c) The department shall promptly examine each claim for waiting week credit and each claim for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid

Notice of such determination need not be given to the claimant if the claim is determined valid but if the claim is determined invalid notice shall be gven by the department in writing to the claimant stating that the claim is invalid and the reason therefor

Notice of such determination need not be given to any base year employer or last employer of the claimant unless such base year employer or last employer has filed with the department information in writing which might raise a question as to the eligibility of the claimant for any reason other than his failure to comply with the provisions of section four hundred one (a) in which event notice shall be given as provided herein

If an employer files with the department such information within the days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is on or before the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

If an employer files with the department such information more than ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall only issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is within the thirty-day period which immediately precedes the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

(d) The department shall notify any employer or claimant who has been notified as required under subsections (a) and (c) of this section of any revision made in the determination as contained in the original notice given to such employer or claimant

(e) Unless the claimant or last employer or base year employer of the claimant files an appeal with the board from the determination contained in any notice required to be furnished by the department under section five hundred and one (a) (c) and (d) within ten (10) calendar days after such notice was delivered to him personally or was mailed to his last known post office address and applies for a hearing such determination of the department with respect to the particular facts set forth in such notice shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal

Section 12 Section six hundred and one of said act is hereby amended to read as follows

Section 601 Unemployment Compensation Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Unemployment Compensation Fund All contributions together with penalties and interest thereon received or collected by the department from employers under the provisions of this act except such penalties and interest which are paid into the Special Administration Fund as provided in section six hundred one point one shall be paid into the Unemployment Compensation Fund and shall be credited by the department to a ledger account to be known as the Employers' Contribution Account All Moneys from time to time received and credited to the Employers' Contribution Account (exclusive of refunds made under section three hundred eleven) shall be paid promptly by the department into the Unemployment Trust Fund except as otherwise provided in section six hundred five of this act

As often as may be necessary the department shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requisitioned funds the department

shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the Compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act All moneys to the credit of the Compensation Account shall be mingled and undivided The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 13 Said act is hereby amended by adding after section six hundred and one a new section to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Special Administration Fund Under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act may be paid into the Special Administration Fund Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Administration Fund Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act But nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided upon requisition of the Secretary and certification by him that no other funds are available or can properly be used to finance such expenditures The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under section three hundred and eleven wherein an amount equal to any refund or credit of interest or penalties shall be transfererd from the Special Administration Fund to the Unemployment Compensation Fund

Section 14 Section six hundred and two point one of said act as added by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 845) is hereby amended to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one from the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth of its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys [appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the legislature the amount required for such replacement] transferred from the Special Administration Fund or by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred and two of this act This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 15 Section six hundred and three of said act is hereby amended to read as follows

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund [and] the Administration Fund and the Special Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board of this Commonwealth Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in section six hundred one) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made under such systems of requisitioning and accounting as the Governor the State Treasurer and Secretary shall determine

Section 16 Said act is hereby amended by adding after section six hundred and six a new section to read as follows

Section 607 Moneys Advanced Under Title XII of the Social Security Act The Secretary is authorized and directed to apply for an advance of moneys and to accept the responsibility for the repayment of such advance in accordance with the conditions specified in Title XII of the Social Security Act as amended in order to secure to this Commonwealth the advantages available under the provisions of such title Notwithstanding the provisions of Section six hundred and two point two all moneys received under Title XII of the Social Security Act as amended shall be credited to the account of the Commonwealth in the Unemployment Trust Fund and shall be mingled and undivided with other moneys in such fund Such moneys thus advanced and placed to the credit of the Commonwealth in the Unemployment Trust Fund shall be subject to requisition for the payment of compensation as provided in Section six hundred and one with respect to all other moneys to the credit of the Commonwealth in such fund

Section 17 Except as otherwise provided herein the provisions of this act shall become effective the first day of June one thousand nine hundred and forty-five except that the provisions of section 6 and of subsections (j) (l) (z.1) and (z.2) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-five and the provisions of section five and of subsections (e) (k) (s) and (y) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-six

The PRESIDING OFFICER. The report of the Committee of Conference will appear on tomorrow's calendar.

CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1280, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred forty-five

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred forty-five and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-five

I Executive Department

To the Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employes for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the costs of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of persons other than employes of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employes assigned thereto for the expenses of entertainment of official guests and for the expense incident to the participation of the Governor in the Governor's Conference the sum of three hundred eighty-six thousand dollars ($386,000)

To the Lieutenant-Governor

For the payment of the salary of the Lieutenant-Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant-Governor the sum of twenty-eight thousand three hundred sixty dollars ($28,360)

To the Department of the Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employes for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million six hundred seventy-four thousand dollars ($1,674,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars ($1,000)

For the cost of painting a portrait of Auditor General F Clair Ross to be placed in the office of the Auditor General the sum of seven hundred fifty dollars ($750)

For the cost of painting a portrait of Auditor General Ted A Rosenberg to be placed in the office of the Auditor General the sum of seven hundred fifty dollars ($750)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars ($4,000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of fifteen thousand dollars ($15,000)

To the Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employes for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of eight hundred thousand dollars ($800,000)

For the cost of painting a portrait of Treasurer G Harold Wagner to be placed in the Treasury Department the sum of seven hundred fifty dollars ($750)

For the payment of salaries or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of ninety thousand dollars ($90,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty-two thousand and forty dollars ($52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of interest on general expenses bonds and Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of fifteen thousand dollars ($15,000)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars ($20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars ($500)

For refunding the balance due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars ($1,000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars ($2,500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of three hundred fifty thousand dollars ($350,000)

For refunding transfer inheritance taxes on estates of

nonresident decedents paid in error or overpaid the sum of ten thousand dollars ($10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of two thousand five hundred dollars ($2,500)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been deceived and have been cancelled the sum of one thousand five hundred dollars ($1,500)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of one hundred thousand dollars ($100,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of twenty-five thousand dollars ($25,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feebleminded in part supported by the Commonwealth the sum of fifty thousand dollars ($50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars ($500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars ($25,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars ($500)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of five thousand dollars ($5,000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of five thousand dollars ($5,000)

For the payment of approved claims for refund of rents upon real estate erroneously collected by the Commonwealth the sum of two thousand dollars ($2,000)

For the payment of refunds of Vital Statistics fees the sum of twenty-two thousand dollars ($22,000)

For payment of approved claims for refund of documentary tax stamps the sum of five thousand dollars ($5,000)

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans' Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (One thousand nine hundred thirty-three and one thousand nine hundred thirty-four P. L. 219) the sum of six million seven hundred forty-three thousand nine hundred forty-two dollars and fifty cents ($6,743,942.50) according to the following schedule

Requirements

Date of Payment	Principal	Interest	Total
September 2 1945		$406,250.00	$406,250.00
November 1 1945		240,000.00	240,000.00
March 2 1946 ..	$1,237,253.21	406,250.00	1,643,503.21
May 1 1946 ...	912,843.04	240,000.00	1,152,843.04
September 1 1946		365,625.00	365,625.00
November 2 1946		210,000.00	210,000.00
March 1 1947 ..	1,237,253.21	365,625.00	1,602,878.21
May 1 1947 ..	912,843.04	210,000.00	1,122,843.04
Total	$4,300,192.50	$2,443,750.00	$6,743,942.50

To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides for gypsy moth work for testing of animals to prevent spreading of dangerous contagious and infections diseases for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg-Laying Contest for the payment of any expenses necessary in increasing and conserving the State's food supplies during war for the payment of any loss or damage by dogs to live stock domestic game birds and poultry as provided by law for expenses necessary in carrying out the provisions of the law with respect to soil conservation and for the purpose of compensating land owners according to existing law for the loss of cedar trees destroyed by order of the department to prevent damage to apple orchards by cedar apple rust the sum of two million six hundred and forty-one thousand dollars ($2,641,000)

For the payment of the expenses of the department in conducting research to find measures for preventing transmission of and for curing diseases of cattle the sum of twenty-five thousand dollars ($25,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of live stock live stock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars ($100,000)

For the payment of indemnities for and payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law the sum of two million dollars ($2,000,000)

To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employes and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred ten thousand dollars ($110,000)

To the Department of Commerce

For the payment of the salary of the Secretary of Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of two hundred eighty thousand dollars ($280,000) and in addition thereto any amount appropriated to the department out of the Motor License Fund which shall be credited to the appropriation made by this paragraph and shall be available for the purposes herein enumerated

For the payment of salaries wages or other compensation of a secretary and employes for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of one hundred thirty-one thousand five hundred dollars ($131,500)

To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards and Flood Prevention and maintenance of dykes along Darby Creek and the Delaware River in Tinicum Township Delaware County for emergency control and extinction of forest fires for the purchase of telephone equipment and the cost of telephone rentals at towers district offices ranger stations and other necessary locations for the erection and repairs of buildings the sum of one million nine hundred seventy-eight thousand dollars ($1,978,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars ($200,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of road dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred thousand dollars ($100,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred seven thousand dollars ($107,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbour Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authodized and approved by the Secretary of Forests and Waters the sum of seventy eight thousand dollars ($78,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of two hundred sixty-one thousand dollars ($261,000)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of fourteen thousand dollars ($14,000)

For the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deckhands watchmen laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of seventy-five thousand dollars ($75,000)

For the payment of salaries wages or other compensation of superintendent officers doctors machinists messmen pharmacists yeomen marine engineers cooks clerks stenographers and other employes for the payment of general expenses insurance dockage supplies printing automobiles and equipment for the repairs and alterations and improvements to vessels plants and equipment for the improvement to land for the purchase and repair of equipment furniture furnishings and for incidental expenses and all other expenses of maintenance and operations necessary for the proper conduct of the work of a state nautical school by the Navigation Commission for the Delaware River and its Navigable Tributaries as provided by law the sum of two hundred five thousand dollars ($205,000) and in addition to said amount all moneys received by the Commonwealth from the Federal Government in accordance with any Act of Congress for this purpose shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Health

For the payment of the salary of the Secretary of Health and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board the State Board of Housing and other boards the sum of three million four hundred six thousand dollars ($3,406,000)

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and livestock for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of five million three hundred forty-five thousand dollars ($5,345,000)

To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of a deputy commissioner and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies and the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of six hundred seventy thousand dollars ($670,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation

shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of one million fifty thousand dollars ($1,050,000)

To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of seven hundred fifty-two thousand five hundred dollars ($752,500)

To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of two million eight hundred twenty thousand dollars ($2,820,000)

For the payment from time to time into the Administration Fund in order to provide funds for the payment of salaries wages or other compensation of employes engaged in the administration of the State-Federal Employment Service and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of this service the sum of four hundred sixty thousand six hundred dollars ($460,600)

To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant general the Division Commander and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repair of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania State Guard in the event of the Pennsylvania National Guard being called into active service of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania State Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania State Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania State Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of one million nine hundred forty-eight thousand dollars ($1,948,000) Provided however that there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania State Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employes of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be col-

lected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania State Guard

Provided further That the Department of Military Affairs shall upon the direction of the Governor allocate from this appropriation from time to time such amounts as he shall deem necessary to defray the expenses of the State Council of Defense for the duration of the war in Europe and six months thereafter and this appropriation is hereby appropriated for such purpose

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of two hundred fifty thousand dollars ($250,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

To the Department of Mines

For the payment of the salary of the Secretary and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employes and for the payment of general expenses including examination costs supplies printing and equipment necessary for the proper conduct of the work of the department and the mine inspectors the sum of seven hundred ninety-four thousand seven hundred dollars ($794,700) For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of fifty thousand dollars ($50,000)

To the Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of two million five hundred twenty thousand dollars ($2,520,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War as provided by law the sum of eleven thousand two hundred dollars ($11,200)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of thirty-six thousand five hundred dollars ($36,500)

For payment into the Purchasing Fund to be used as working capital the sum of fifteen thousand dollars ($15,000)

For the purchase of fuel water gas steam and electric current and necessary devices for the reception and use of same and for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion the State Arsenal any buildings lands or structures within the City of Harrisburg donated or devised to the Commonwealth and any buildings or monuments of historical interest located anywhere in the Commonwealth except the Liquor Control Board Office Building in Harrisburg for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of one million dollars ($1,000,000)

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State Government the sum of seven hundred thirty-six thousand four hundred dollars ($736,400)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General

Assembly in accordance with law the sum of three hundred fifty thousand dollars ($350,000)

To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of seven hundred twenty thousand dollars ($720,000)

To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of six hundred seventy-four thousand dollars ($674,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library and Museum the sum of two hundred fifty-five thousand dollars ($255,000)

For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to preprofessional profesional education and licensure and the professional examining boards and advisory committees within the department the sum of six hundred twenty-eight thousand dollars ($628,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of one hundred forty thousand dollars ($140,000)

For the payment of salaries wages or other compensation of a secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission and for the purchase of archaeological collections and maintenance of historical monuments sites buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction the sum of two hundred sixty thousand dollars ($260,000)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard of hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of eight hundred twenty-five thousand dollars $825,000) and in addition thereto any contribution from the Federal Government or from any other source for rehabitation shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of thirty thousand dollars ($30,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in the public schools the sum of fifteen thouand dollars ($15,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of six million dollars ($6,000,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified.

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania ..... ($227,000)
Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania ..... ($480,000)
Thaddeus Stevens Industrial School at Lancaster Pennsylvania ..... ($172,000)

and in addition to the appropriation to the Thaddeus Stevens Industrial School made by this paragraph all moneys collected from the Federal Government by the institution or by the Commonwealth in payment of support or training of members of Federal military establishments at the Thaddeus Stevens Industrial School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Industrial School made by this paragraph

For the payment of salaries of the county superintendents of public schools or persons acting in their stead as required by law the sum of five hundred eighty-eight thousand dollars ($588,000)

For the payment of the expenses of county superintendents of public schools or persons acting in their stead as required by law the sum of fifty-six thousand one hundred dollars ($56,100)

For the payment of the salaries of assistant county superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of eight hundred twenty-six thousand dollars ($826,000)

For the payment of expenses of assistant county superintendents of public schools and supervisors of special education or persons acting in their stead as required by

law the sum of one hundred thousand three hundred dollars ($100,300)

For the payment of salaries of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars ($52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of nine million nine hundred thousand dollars ($9,900,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million dollars ($2,000,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred five thousand eight hundred dollars ($405,800)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for non-resident high school tuition and any other non-resident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of one hundred twenty-seven million dollars ($127,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf under the supervision of and approved by the department in accordance with law the sum of one million four hundred fifty thousand dollars ($1,450,000)

For the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes' Retirement Fund as required by law the sum of three million one hundred sixty-eight thousand dollars ($3,168,000)

For the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as required by law the sum of five million twenty-four thousand dollars ($5,024,000)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of two hundred twenty thousand dollars ($220,000)

To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of two million dollars ($2,000,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railway corporations cross public highways other than those State Highways designated as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of fifteen thousand dollars ($15,000)

To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of the compensation of informants in escheats and the fees and expenses of escheators for the payment of costs in suits for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of three million eighty-one thousand dollars ($3,081,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of ninety thousand dollars ($90,000)

For the payment of the salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employes and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of thirty-five thousand dollars ($35,000)

To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for proofreading the

Pamphlet Laws the sum of two hundred eighty-five thousand dollars ($285,000)

For the payment of salaries wages and compensation of employes for the payment of general expenses supplies printing equipment and other expenses for the proper conduct of the work of the department necessary for and incidental to taking the vote of qualified electors of the Commonwealth who are entitled to vote by "Official Military Ballot" and for reimbursement by the Commonwealth of cities of the first class and counties for expenses incurred by cities of the first class and counties in connection therewith the sum of one million five hundred thousand dollars ($1,500,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the State Employes' Retirement Board the sum of one hundred sixty thousand dollars ($160,000) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employes' Retirement Fund on behalf of the employes of such public corporation or similar agency whose employes are entitled by law to be members of the State Employes' Retirement System shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of employes and for the payment of general expenses necessary for the work of the State Employes' Retirement Board in administering the "Municipal Employes' Retirement Law" the sum of twenty-five thousand dollars ($25,000)

For the payment into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million one hundred eighty-five thousand dollars ($1,185,000)

For the payment into the State Employes' Retirement Fund to the credit of the Contingent Reserve Account the sum of one million three hundred nine thousand dollars ($1,309,000)

For the payment into the State Employes' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars ($50,000)

For the payment into the State Employes' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of five hundred thirty-seven thousand seven hundred fifty dollars ($537,750)

For the payment of State employes who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of nine thousand six hundred seventy dollars ($9,670)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonweatlh of Pennsylvania the sum of thirty thousand dollars ($30,000)

To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and the other employes of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employes or dependents of employes of the Pennsylvania State Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employes of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the payment of traveling expenses and witness fees in the amount of two dollars ($2) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars ($5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and for the purpose of installing operating and maintaining a teletype or other inter-communication system linking the central office of the Pennsylvania State Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of three million dollars ($3,000,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of six hundred twenty thousand dollars ($620,000)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operation eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of two hundred eighty-eight thousand seven hundred dollars ($288,700)

For the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Eastern State

Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of ten million one hundred thousand dollars ($10,100,000) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Fairview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other state for the purchase from privately operated non-sectarian hospitals at cost not exceeding five dollars ($5.00) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to seven hundred fifty dollars ($750.00) per bed provided and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of twenty-nine million eight hundred seventy thousand dollars ($29,870,000) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennshurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of five million three hundred fifty thousand dollars ($5,350.000) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of four million two hundred fifty thousand dollars ($4,250,000)

To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated by law the sum of three hundred twenty thousand dollars ($320,000)

To the State Civil Service Commission

For the payment of salaries wages or other compensation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars ($100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation Provided that the specific appropriation of $100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse May 31, 1947 in the full amount

To the Pennsylvania Post-War Planning Commission

For the payment of expenses of the Commission and the salaries wages or other compensation of a director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of two hundred fifty thousand dollars ($250,000)

To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board the sum of one million sixty-nine thousand dollars ($1,069,000)

To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor the President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of five thousand dollars ($5,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

To the Interstate Commission on the Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission in Interstate Cooperation the sum of thirty thousand dollars ($30,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman of said commission shall file an accounting of said expenses with the Auditor General

Atlantic States Marine Fisheries Commission

For support of the Atlantic States Marine Fisheries

Commission created by the Act of June 1 1943 Pamphlet Laws 798 the sum of twelve hundred dollars ($1,200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

To the Ohio River Valley Water Sanitation Commission

For support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 Pamphlet Laws 50 the sum of twenty-four hundred dollars ($2,400) Requisitions shall be prepared and signed by the Secretary of Commerce

To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of forty thousand dollars ($40,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

To the General State Authority

For the payment of all salaries and general expenses of every description necessary in closing out the affairs of the General State Authority the sum of ten thousand dollars ($10,000)

II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred forty-five and also for the expenses of the session and recess of one thousand nine hundred forty-five not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and all the salaries and mileage of the session officers and employes of the legislative session of one thousand nine hundred and forty-seven shall only be paid after statement of the amounts due the several senators members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively and that the senators and members also the officers receiving fixed salaries for said session shall each be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amounts due them at the end of each month during session except the last month when payment shall be made on the date fixed for final adjournment of the Legislature or during the two days previous thereto

To the Senate

For the payment of the salaries of fifty senators and extra compensation allowed by law to the President pro tempore of the Senate session of one thousand nine hundred and forty-seven the sum of one hundred fifty-one thousand dollars ($151,000)

For the payment of the mileage of fity senators session of one thousand nine hundred and forty-seven the sum of eighteen thousand dollars ($18,000)

For the payment of postage session of one thousand nine hundred and forty-seven allowed by law to fifty senators the sum of seven thousand five hundred dollars ($7,500)

For the payment of postage session of one thousand nine hundred and forty-seven for the chief clerk and assistants the sum of one hundred fifty dollars ($150)

For the payment of postage session of one thousand nine hundred and forty-seven for the Lieutenant-Governor the sum of one hundred fifty dollars ($150)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-seven the sum of four thousand five hundred dollars ($4,500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and forty-seven also for the payment of the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of one hundred two thousand dollars ($102,000) for the two years beginning June first one thousand nine hundred and forty-five

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred and forty-seven the sum of two thousand seven hundred dollars ($2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and forty-seven the sum of eight thousand dollars ($8,000.00)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and forty-seven the sum of two thousand dollars ($2,000)

For the payment of the salary of the clerk to the President of the Senate for two years beginning June first one thousand nine hundred and forty-five the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred and forty-five the sum of fifteen thousand dollars ($15,000)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-five the sum of twelve thousand dollars ($12,000)

For the pyament of the salary of the assistant clerk of the Senate for the session of one thousand nine hundred and forty-seven the sum of two thousand dollars ($2,000)

for the payment of the salary of the assistant clerk of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-five the sum of three thousand eight hundred dollars ($3,800)

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-five the sum of nine thousand dollars ($9,000)

For the payment of the salary of the assistant librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-five the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the assistant to the secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of four thousand two hundred dollars ($4,200)

For the payment of the salary of the stenographer to the President of the Senate for the two years beginning June first one thousand nine hundred forty-five the sum of three thousand two hundred forty dollars ($3,240)

For the payment of the salary of the clerk to the President pro tempore of the Senate for two years beginning June first one thousand nine hundred and forty-five the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of the secretary to the majority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-five as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the Secretary to the minority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-five as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of the stenographers to the Senate Librarian for the time employed during the recess period in the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of six thousand three hundred dollars ($6,300)

For the payment of the salaries of two watchmen of the Senate for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of seven thousand nine hundred twenty dollars ($7,920)

For the payment of the salary of the superintendent of the storeroom of the Senate for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of six thousand dollars ($6,000)

For the payment of the salary of the custodian of the basement of the Senate for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of one custodian of the Senate Chamber and three assistant custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of ten thousand nine hundred sixty-five dollars ($10,965)

For the payment of the salary of the chief custodian of the Senate for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of five thousand four hundred dollars ($5,400)

For the payment of the salary of the messenger in the Senate Library for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of two thousand four hundred dollars ($2,400)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and forty-five the sum of two thousand five hundred dollars ($2,500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred and forty-five and ending May thirty-first one thousand nine hundred and forty-seven in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commnowealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during legislative session and during the interim between legislative sessions the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than seven thousand dollars ($7,000) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred and forty-seven If the term of office of the chairman of the Committee on Appropriations shall terminate prior to the regular session of 1947 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificate of election of senators for the session of one thousand nine hundred and forty-seven the sum of seventy-five dollars ($75) (Act of June fourteenth one thousand nine hundred and eleven Pamphlet Laws 926)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred and forty-seven the sum of three thousand dollars ($3,000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and forty-seven the sum of four thousand dollars ($4,000)

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and forty-six the sum of seven thousand dollars ($7,000) and for six months ending November thirtieth one thousand nine hundred and forty-six the sum of four thousand dollars ($4,000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty-six and the entire period of the session of one thousand nine hundred and forty-seven should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of ten thousand dollars ($10,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and chief clerk

For the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year beginning June first one thousand nine hundred and forty-five the sum of five thousand dollars ($5,000) and for the year beginning June first one thousand nine hundred and forty-six the sum of five thousand dollars ($5,000)

For the payment of postage labor express charges and all other expenses in the office of the librarian of the Senate for the year beginning June first one thousand nine hundred and forty-five the sum of two thousand eight hundred dollars ($2,800) and for the year beginning June first one thousand nine hundred and forty-six the sum of two thousand eight hundred dollars ($2,800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the Senate during the recess ending December first one thousand nine hundred and forty-six the sum of one thousand five hundred dollars ($1,500) and for like expenses for the session of one thousand nine hundred forty-seven the sum of one thousand five hundred dollars ($1,500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the Senate during the recess ending December first one thousand nine hundred forty-six the sum of one thousand dollars ($1,000) and for like expenses for the session of one thousand nine hundred forty-seven the sum of one thousand dollars ($1,000)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred and forty-five the sum of one thousand dollars ($1,000)

To the House of Representatives

For the payment of the salaries of two hundred and eight members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives session one thousand nine hundred and forty-seven the sum of six hundred and twenty-five thousand dollars ($625,000)

For the payment of the mileage of two hundred and eight members of the House of Representatives session of one thousand nine hundred and forty-seven the sum of eighty-five thousand dollars ($85,000)

For the payment of postage session of one thousand nine hundred and forty-seven allowed by law to two hundred and eight members one hundred fifty dollars ($150) each the sum of thirty-one thousand two hundred dollars ($31,200)

For the payment of postage session of one thousand nine hundred and forty-seven to the chief clerk and assistants the sum of one hundred fifty dollars ($150)

To the chief clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-seven the sum of ten thousand dollars ($10,000)

For the payment of salaries of the officers and employes of the House of Representatives session of one thousand nine hundred and forty-seven also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of one hundred thirty-two thousand dollars ($132,000) for the two years beginning June first one thousand nine hundred and forty-five

For the payment of the mileage of the officers and employes of the House of Representatives session of one thousand nine hundred and forty-seven the sum of four thousand dollars ($4,000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and forty-seven the sum of thirteen thousand dollars ($13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and forty-seven the sum of three thousand dollars ($3,000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant to the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the chief stenographer to the chief clerk for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-five the sum of three thousand seventy-five dollars ($3,075)

For the payment of the salary of the stenographer to the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred and forty-five the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the secretary to the majority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the secretary to the minority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the assistant clerk of the House of Representatives for the session of one thousand nine hundred and forty-seven the sum of two thousand dollars ($2,000)

For the payment of the salary of the assistant clerk of the House of Representatives for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-five the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the superintendent of storerooms of the House of Representatives for the time employe during the period beginning June first one thousand nine hundred and forty-five as provided by law the sum of six thousand dollars ($6,000)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the period beginning June first one thousand nine hundred and forty-five as provided by law the sum of seven thousand nine hundred twenty dollars ($7,920)

For the payment of the salary of the custodian of the basement of the House of Representatives for the time employed in the period beginning June first one thousand nine hundred and forty-five as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the custodian of the Hall of the House of Representatives for the time employed in the period beginning June first one thousand nine hundred and forty-five as provided by law the sum of three thousand nine hundred sixty dollars ($3,960)

For the payment of the salaries of the four assistant custodians of the Hall of the House of Representatives for the time employed in the recess period beginning June first one thousand nine hundred and forty-five as provided by law the sum of ten thousand dollars ($10,000)

For the payment of the salary of the messenger in the House Library for the time employed in the period beginning June first one thousand nine hundred and forty-five as provided by law the sum of two thousand four hundred dollars ($2,400)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred and forty-six the sum of three thousand dollars ($3,000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and forty-seven the sum of four thousand dollars ($4,000)

For the payment of the salary of the stenographer to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of three thousand six hundred dollars ($3,600) or as much thereof as may be necessary

For the payment of the salary of the parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of eight thousand dollars ($8,000)

For the payment of the salary of the secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-five the sum of four thousand eight hundred dollars ($4,800)

For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year beginning June first one thousand nine hundred and forty-five the sum of nineteen thousand dollars ($19,000) and for the six months beginning June first one

thousand nine hundred and forty-six the sum of nine thousand one hundred dollars ($9,100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and forty-six and for the entire period of the session of one thousand nine hundred and forty-seven should the same extend beyond May thirty-first to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts The whole amount thus expended by the chief clerk shall not exceed the sum of twenty thousand dollars ($20,000)

To the chief clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives session of one thousand nine hundred and forty-seven the sum of two thousand five hundred dollars ($2,500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June firrst one thousand nine hundred and forty-five and ending May thirty-first one thousand nine hundred and forty-seven in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum herein appropriated not more than seven thousand dollars ($7,000) shall be expended prior to the beginning of the regular session of the General Assembly of nineteen hundred and forty-seven The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of the postage clerical stenographic and express charges and all other expenses in the office of the secretary of the House of Representatives for the year beginning June first one thousand nine hundred and forty-five the sum of three thousand five hundred dollars ($3,500) and for the year beginning June first one thousand nine hundred and forty-six the sum of three thousand five hundred dollars ($3,500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and forty-six the sum of one thousand five hundred dollars ($1,500) and for like expenses for the session of one thousand nine hundred and forty-seven the sum of one thousand five hundred dollars ($1,500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and forty-six the sum of one thousand dollars ($1,000) and for like expenses for the session of one thousand nine hundred and forty-seven the sum of one thousand dollars ($1,000)

For the payment of the expenses incident to issuing certificates of election to members of the House of Representatives for the session of one thousand nine hundred and forty-seven (Act of June fourteenth one thousand nine hundred and eleven Pamphlet Laws 926) the sum of seven hundred fifty dollars ($750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the chief clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of members of the House of Representatives officers of the House of Representatives or State Officials during the two years beginning June first one thousand nine hundred and forty-five the sum of three thousand dollars ($3,000)

Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives the sum of one thousand dollars ($1,000) each for making indices for the journals of each House for the session of one thousand nine hundred and forty-five the sum of two thousand dollars ($2,000)

For the work of the Legislative Journal officials after the close of the session of one thousand nine hundred and forty-five on the Legislative Journals also the proof-reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars ($4,500)

For the payment of the person or persons appointed to edit the Legislative Journals session of one thousand nine hundred and forty-seven the sum of one thousand five hundred dollars ($1,500) in accordance with the act establishing said journals

Legislative Miscellaneous

For the payment of traveling and other expenses of the members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators' Association and the Council of State Governments the sum of two thousand five hundred dollars ($2,500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred forty-five the sum of eight hundred dollars ($800)

To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission the sum of one hundred thousand dollars ($100,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

To the Legislative Reference Bureau

For the payment of the salaries of the director assistant director chief compiler compiler and bill drafter compiler and bill reading clerk search clerk messenger and file clerk chief clerk reference librarian stenographers char-women regularly employed and bill book clerks and stenographers for the two fiscal years beginning June first one thousand nine hundred forty-five and for the

session of the General Assembly of one thousand nine hundred forty-seven and for maintenance law books incidental expenses traveling expenses and emergency clerical help and emergency assistants if needed for two years for the Legislative Reference Bureau the sum of ninety-six thousand dollars ($96,000)

III Judicial Department

For the payment of the salaries of the judges of the Supreme Court and Superior Court the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and mileage of associate judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and forty-five payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

Supreme Court

For the payment of the salaries of the Supreme Court judges the sum of two hundred seventy-four thousand dollars ($274,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars ($56,000)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the eastern district for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of sixty-five thousand two hundred dollars ($65,200)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court western district the sum of thirty thousand seven hundred dollars ($30,700)

For the payment of salaries wages and other compensation of the prothonotary and other employes in the office of the prothonotary of the Supreme Court for the middle district and for the payment of expenses for the Supreme Court in the middle district and the Superior Court at Harrisburg the sum of eleven thousand one hundred dollars ($11,100)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the eastern middle and western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of seventy-three thousand nine hundred and ninety-five dollars ($73,995) Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of four thousand five hundred dollars ($4,500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars ($10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars ($25,000)

In the case of necessary expenses stationery supplies and books for the eastern western and middle districts herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the particular district thereof

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars ($60,000)

Superior Court

For the payment of the salaries of the judges of the Superior Court the sum of two hundred fifty-three thousand dollars ($253,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars ($49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employes of the Superior Court the sum of sixty-three thousand dollars ($63,000)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of twelve thousand dollars ($12,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

Common Pleas Court

For the payment of the salaries of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth the sum of three million one hundred thousand dollars ($3,100,000)

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with law the sum of one hundred thousand dollars ($100,000)

For the payment of mileage allowed common pleas judges in judicial districts containing more than one county as provided by law the sum of five thousand dollars ($5,000)

For the payment of the judges of the courts of common pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of nineteen thousand four hundred dollars ($19,400)

Orphans' Court

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law the sum of six hundred eighteen thousand dollars ($618,000)

Municipal Court of Philadelphia

For the payment of the salaries of the judges of the

Municipal Court of Philadelphia in accordance with law the sum of two hundred twenty-one thousand dollars ($221,000)

County Court of Allegheny County

For the payment of the salaries of the judges of the County Court for County of Allegheny the sum of one hundred twenty-one thousand dollars ($121,000)

To the Juvenile Court of Allegheny County

For the payment of the salary of the judge of the Juvenile Court of the County of Allegheny the sum of twenty thousand dollars ($20,000)

Retired Judges

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (P. L. 461) the sum of one hundred thousand dollars ($100,000)

Associate Judges

For the payment of the salaries of the associate judges the sum of fifty thousand dollars ($50,000)

For the payment to associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and forty-five the sum of seven thousand dollars ($7,000)

State Reporter

For the payment of the salary of the State Reporter the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant State Reporter the sum of nine thousand six hundred dollars ($9,600)

For the payment of stationery clerk hire assistants and other general expenses the sum of fourteen thousand five hundred sixty dollars ($14,560)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employes" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs expert scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board and commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection?

Mr. CHAPMAN. Mr. President, I object.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I want to call to the attention of the gentleman from Somerset, Senator Ealy, page 49 of House Bill 1280, because I think he should be very happy about the item providing for payment of all salaries and general expenses of every description necessary in closing out the affairs of the General State Authority, in the amount of $10,000.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1282, as follows:

An Act to further amend the title and section three of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as last amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section three of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as last amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 123) are hereby further amended to read as follows

An Act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties

Section 3 (a) The Pennsylvania State Police or its assistants upon the complaint of any person or whenever it or they shall deem it necessary shall inspect the buildings and premises within their jurisdiction Whenever any of the said officers shall find any buildings or structures which for want of repairs or by reason of age or dilapidated condition or accumulation of waste rubbish debris explosive or inflammable substance in any buildings or on premises constituting a fire menace or hazard or for any other cause making it especially liable to fire and endangering property and so situated as to endanger other property it or they shall order the same to be removed or remedied if the same is reasonably practicable thereby lessening the danger of fire Whenever such officer shall find in any building combustible or explosive matter or inflammable conditions which are in violation of any law or ordinance applicable thereto or are dangerous to the safety of such building thereby endangering other property it or they shall order the same to be removed or remedied and such order shall contain a notice that an appeal therefrom may be taken and shall forthwith be complied with by the owner or occupant of such premises or buildings

(b) If such order is made by any assistant to the Pennsylvania State Police such owner or occupant may within five days appeal to the Pennsylvania State Police which shall within ten days review such order and file its decision thereon and unless by its authority the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant Any owner or occupant who feels aggrieved by any order of the Pennsylvania State Police or by any decision upholding or modifying any order of any of its assistants may within five days after the same has been made or filed by the Pennsylvania State Police file his petition with the court of common pleas of the proper county praying a review of such order and it shall be the duty of the court to hear the same at the first convenient day and to make such order in the premises as right and justice may require

(c) The service of any such order shall be made upon the owner or occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises or in case no such person is found upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a true copy of the said order or if such owner is absent from the jurisdiction of the officer making the order by mailing such copy to the owner's last known post office address

(d) Any owner or occupant refusing or neglecting to comply with any final order or notice issued by the Pennsylvania State Police or under its direction by any inspector or member of the Pennsylvania State Police shall upon conviction thereof under summary proceedings instituted before any magistrate alderman or justice of the peace in the county where such violations occur be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) and in default of the payment of such fine and costs to be imprisoned in the county prison one day for each dollar of fine and costs unpaid Upon conviction after hearing the sentences provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

All fines collected under this act shall be paid into the General Fund in the State Treasury through the Department of Revenue

(e) The term "owner or occupant" as used in this section shall include individuals partnerships associations corporations and political subdivisions The term shall also include counties and cities with respect to buildings and premises which they are by law required to purchase at tax sales and which they hold as trustees for the benefit of all political subdivisions for the taxes of which the property was sold

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid over for one day under the rules:

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of West Chester State Teachers' College, to serve until the third Tuesday of January, 1951, and until their successors shall have been appointed and qualified:

Mrs. Irma P. Knauer, Brookwood, Pottstown, Montgomery County.

Frank F. Truscott, 929-33 Land Title Building, Philadelphia, Philadelphia County.

John L. Johnson, 110 South High Street, West Chester, Chester County.

EDWARD MARTIN.

MEMBERS OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Northumberland County Board of Assistance:

Chester Alexander (Republican), 536 Broadway, Milton, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

H. H. Haddon (Republican), Sunbury Daily Item, Sunbury, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

Mattison A. Burt (Republican), 197 North Marshall Street, Shamokin, Northumberand County, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Richard McKeever, Shamokin, whose term expired.

Russell Rickert (Republican), 341 South Market Street, Shamokin Northumberland County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, to fill a vacancy.

Joseph T. Wasilewski (Democrat), 856 Chestnut Street, Kulpmont, Northumberland County, to serve until December 31, 1945, and until his successor is duly appointed and qualified. (Reappointment)

Lester R. Wehry (Republican), 328 West Avenue, Mt. Carmel, Northumberland County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Joseph Zecoski, Mt. Carmel, whose term expired.

Mrs. Natalie Swaboski (Republican), 327 South Poplar Street, Mt. Carmel, Northumberland County, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Ida Butts Morse, Mt. Carmel, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Shamokin State Hospital, for terms of four years, and until their successors are qualified:

Frederick D. Kessler, Northumberland, Northumberland County, to fill a vacancy.

Charles Frye, Bear Valley Avenue, Shamokin, Northumberland County, to fill a vacancy.

William Thew, R. D. 2, Shamokin, Northumberland County, to fill a vacancy.

John Oshinskie, National Dime Bank Building, Shamokin, Northumberland County, to fill a vacancy.

Richard P. Bridy, 26 West Avenue, Mt. Carmel, Northumberland County, to fill a vacancy.

Clayton Stashinski, 124 South Market Street, Mt. Carmel, Northumberland County, to fill a vacancy.

Thomas E. Williams, 201 West Avenue, Mt. Carmel, Northumberland County, to fill a vacancy.

H. Wilson Lark, Shamokin, Northumberland County, to fill a vacancy.

EDWARD MARTIN.

HOUSE BILL No. 715 CALLED UP

Mr. KEPHART. Mr. President, I call up House Bill No. 715, on page 19 of the Calendar.

BILL RECOMMITTED

Mr. KEPHART. Mr. President, I move that House Bill No. 715, on final passage, entitled:

An Act to further amend the title and the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possession or enjoyment at or after death; changing the provisions for rate of tax debts and deductions the computation of tax on life estates or estates for years the assessments of tax on future estates the lien of taxes and commissions to be retained by registers of wills

be recommitted to the Committee on Judiciary Special.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION

Mr. KEPHART. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. KEPHART, WADE, DENT, SCARLETT, HOMSHER, LEADER, offered the following resolution which was twice read, as follows:

In the Senate, May 4, 1945.

Resolved, That the Joint State Government Commission shall cause a study and investigation to be made of the matter of taxation of cooperatives, cooperative agricultural associations and other similar associations by a committee to be appointed by its Chairman which shall submit to the General Assembly at its next regular session recommendations for proposed legislation.

RULE 39 SUSPENDED

Mr. KEPHART. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. HOLLAND. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Allegheny will be so recorded.

And the question recurring,

Will the Senate agree to the resolution?

(A voice vote having been taken the question was determined in the affirmative.)

HOUSE BILL No. 839 CALLED UP

Mr. HEYBURN. Mr. President, I call up House Bill No. 839, on page 4 of today's Calendar, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 839, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred nine of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 109 Wherever in any of the provisions of this act notice is required to be given in one newspaper in the county such notice shall be published in a general newspaper published within the limits of the borough or district affected or if none is published therein then in a general newspaper of the county or adjacent county circulating in such borough or district [and when so required by rules of court of such county also in the legal newspaper if any designated by the rules of court of such county for the publication of legal notices and advertisements Provided That borough ordinances shall be published only in general newspapers] and such notice shall also be published in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements when such notice refers to any proceeding in any court or the holding of elections for the increase of indebtedness or sale of bonds unless such publication be dispensed with by special order of the court

Section 2 Article IX of said Act is hereby amended by adding Section 906 as follows

Section 906 If for any reason two or three vacancies exist in the office of borough auditors the council may temporarily appoint and reasonably compensate a qualified person who need not be an elector of the borough who shall have all the powers and duties of the two or three auditors whose offices are vacated

Section 3 Clause eighteen of section one thousand six of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 674) is hereby further amended to read as follows

Section 1006 Duties and Powers of Council The borough council a majority of whom shall be a quorum shall have power and unless discretion is vested it shall be its duty

* * * * *

XVIII To adopt an annual budget During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided

[Upon the preparation of the proposed budget the council shall give public notice by one insertion in a newspaper of general circulation in the borough fifteen (15) days prior to the filing of the budget of the fact that the proposed budget will be available for public inspection in the office of the borough secretary or such other place as may be designated in the public notice After the expiration of fifteen (15) days following the giving of such public notice council shall make such revisions therein as appear advisable and thereupon adopt a budget which shall contain the estimated receipts and the appropriations estimated as necessary for the year and may include the necessary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor The council shall then adopt a tax ordinance for submission to the burgess which ordinance may contain appropriation items and such other matters relating to the fiscal affairs of the borough as require the formalities of an ordinance

In all boroughs the council shall within fifteen (15) days after the adoption of the budget file a copy of the same with the Department of Internal Affairs

During any fiscal year the council may make supplementary appropriations or transfer appropriations from one classification to another for any lawful purpose from any funds on hand or estimated to be received including the proceeds of any borrowing theretofore or thereafter authorized by law and in cases of emergency or in palpable cases of error omission or other fortuitous circumstances council may make or ratify expenditures for lawful purposes and thereafter supply or augment the funds necessary therefor Except in the manner and in the cases aforesaid herein provided and except to pay expenditures that have accumulated and were not paid at the close of the previous fiscal year and also for the payment of ordinary operating expenses pending the final adoption of the budget and tax ordinance the council or other officers shall not hire any work to be done purchase any material make any contract or issue any order for the payment of moneys by any agent of the borough which will cause the sums appropriated for specific purposes to be exceeded]

For ten (10) days a copy of the proposed budget shall be on file with the borough secretary and by him made available for public inspection Notice that

the proposed budget is available for inspection shall be published either in a newspaper of general circulation in the borough or in the case of boroughs whose estimated budget receipts are less than five thousand dollars (($5,000.00) conspicuously posted during the said ten (10) day period in a place readily viewable by the public at the secretary's office together with any further notice prescribed by council Failure to give the notice herein required shall not invalidate the budget adopted or the tax ordinance but shall render the secretary guilty of a misdemeanor and on conviction thereof may be sentenced to a fine not exceeding one hundred dollars ($100.00) as may seem meet and just to the court passing sentence

After the expiration of the said ten (10) days council shall make such revision in the budget as shall be deemed advisable In addition to expenditures proposed for the current fiscal year council may include as proposed expenditures a sum sufficient to pay any existing indebtedness and to pay the ordinary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor and may also include a sum to provide in whole or in part for any deferred maintenance depreciation and replacements Within the tax levy and debt limitations council may also include in whole or in part expenditures for capital improvements and purchases Expenditures of a legislative character shall be made authorized or ratified by ordinance Other expenditures allowed by law may be made or ratified by motion in council Such expenditures whether by ordinance or motion shall then be considered as appropriations affecting the budget Any balance of revenues over expenditures may be expended in any subsequent year for any lawful purpose

Upon completion of the budget containing the estimated receipts and expenditures and its adoption by motion in council it shall then be the duty of council to adopt an ordinance levying the tax for the fiscal year for approval of the burgess or passage over his veto The fixing or changing of the compensation or bonds of officials may be made by vote of council or embodied in the tax ordinance An ordinance relating to the fiscal affairs of the borough may include the tax ordinance aforesaid instead of a separate ordinance and it may include therein any matters requiring the formalities of an ordinance or deemed informative by council

The budget both preliminary and final shall be as comprehensive and exact as the information available will admit but council in its reasonable discretion may by motion modify the budget after its final adoption New appropriations supplementary appropriations and transfers from one appropriation to another may be made during the fiscal year either before an expenditure is authorized or ratified after the expenditure is made provided it is within the current year's revenues or the money therefor promptly made available through borrowing as allowed by law

Section 4 Section one thousand seventeen of said act as amended by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 761) is hereby further amended to read as follows

Section 1017 State Association of Boroughs The boroughs of the Commonwealth are authorized to organize a State Association of Boroughs for the purpose of advancing the interests of the boroughs Any borough [desiring representation in said association shall upon resolution of council designate the delegates to attend the annual meeting of said association which delegation may consist of councilmen the burgess the borough manager the engineer the secretary or clerk the controller or one of the auditors and the borough solicitor or any one or more of them]

[The association shall hold annual meetings at such time and place within the Commonwealth as they may designate for the purpose of advancing the various interests of said boroughs promoting remedial legislation and discussing any and all topics relating to the welfare and conduct of the same and for the purpose of providing for a uniform and economical method of administering the affairs of the respective boroughs

The actual expenses of such delegates attending such meeting of said association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and employment of stenographers shall be paid by the various boroughs by order drawn on the borough treasury] may join the said association by motion of council and payment of the annual dues Council may designate one or more delegates from the elected or appointed officials of the borough to attend the annual meeting of the association which shall be held in accordance with the procedure adopted by the association In addition to any compensation allowed by law the actual expenses of the delegates including transportation incurred by delegates for or incident to such meeting shall be paid by the borough The time spent in attending said meeting shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The annual membership dues of each borough becoming a member of the said association shall not exceed the sum of fifteen dollars for boroughs of one thousand population and less and in addition thereto the sum of two dollars per thousand of population or fractional part thereof not however exceeding a total additional fee of eighteen dollars

The dues and other revenues received by the association shall be used to pay for services publications and other expenses authorized or ratified by the association or incurred in behalf of the association by its officers and committees

Section 5 The first paragraph of Section 1035 of said act as last amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1608) is hereby further amended to read as follows

Section 1035 Auditors to meet Yearly and Prepare a Financial Statement Financial Report to Be Furnished to Department of Internal Affairs The auditors of the Borough shall meet on the third Tuesday of January of each year and shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and of any person committee and commission receiving or expending municipal funds and shall prepare a statement thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof Such statement shall be prepared within sixty (60) days after the close of the fiscal year [Such statement shall be published by council as ordinances are published or by publication of a] A summary of such statement showing in reasonable detail all receipts and expenditures of the several boroughs officials the income from each source of revenue and the expenditures as set up in the borough budget as well as the present financial conditions of the borough and a statement of the balance due from or to such officials shall be published one time in one newspaper of general circulation and shall be in lieu of all other statements relating to indebtedness required to be published by existing law The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has permitted or approved such expenditure but no elected or appointed official of a borough shall be surcharged for any act error or omission in excess of the actual financial loss sustained by the borough and any surcharge shall take into consideration as its basis the

results of such act error or omission and the results had the procedure been strictly according to law Provided That this amendment shall not apply to cases involving fraud or collusion and Provided further That in any matter involving any financial transaction any official knowingly and wilfully acting contrary to law or knowingly and wilfully failing to act as required by law is guilty of a misdemeanor and on conviction thereof may be sentenced to a fine not exceeding One Hundred Dollars ($100.00) and his office may be forthwith declared vacant as may seem meet and just to the court passing sentence

Section 6 Article eleven of said act is hereby amended by adding thereto immediately after section one thousand one hundred four a new section to read as follows

Section 1104.1 By ordinance a borough may provide for compensation to appointees and employes of not less than ten (10) years of satisfactory service and who are not less than sixty (60) years of age a proportion of the compensation last paid to them but not in excess of fifty per centum (50%) thereof as fixed in said ordinance or amendment thereto Provided That the expenditures herein authorized shall be paid out of the general tax levy for the current expenditures of the year and not by any special tax therefor Provided further That nothing herein shall preclude any appointee or employe of the borough from joining in any pension system or municipal retirement system that the borough may adopt The true intent and purpose hereof is to permit boroughs without exceeding the present general tax limitation to pay to servants in their employ too old to advantageously join any pensioning or retirement system a reasonable annuity in lieu of a pensioning or retirement system and who are not and cannot now be socially protected by any Federal security system now applicable to persons not employed by municipalities

Section 7 Clause thirty-one of section one thousand two hundred two of said act is hereby amended to read as follows

Section 1202 Specific Powers

* * * * * *

XXXI Appropriations to Borough Associations To appropriate annually a sum of money not exceeding [two hundred dollars] seventy-five for the support of any association composed of electors of the several boroughs and townships within the county formed for the study and investigation of the welfare economics management and government of boroughs and townships and for the protection and safeguarding of the rights and franchises of boroughs and townships and for the purpose of recommending legislation beneficial to boroughs and townships or any one or more of such purposes and also seventy-five dollars ($75.00) for the support of an association composed of elected and appointed borough officials in a particular county or in several adjoining or nearby counties organized for the purpose of furthering the interests of the boroughs in the association and their inhabitants Within the aforesaid limit the association may fix the scale of annual dues on a population or other reasonable basis but each borough member shall have an equal voice in its affairs

The association may adopt its own plan of organization government and procedure and provide means of stimulating interest and attendance at meetings and provide for help and instruction to its members Appropriations when made to the county association shall thereafter be under its control either through authorization of expenditure or by subsequent ratification A county association may affiliate itself with other political subdivisions when mutual municipal or public interests are involved and may withdraw therefrom

Section 8 Clause fifty-three of section one thousand two hundred two of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 767) the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 689) and the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 674) is hereby further amended to read as follows

Section 1202 Specific Powers

* * * * * *

LIII Regulation of Contracts [To make contracts or purchases in connection with proper legal requirements of the borough Provided That all contracts or purchases made by any borough involving an expenditure of over five hundred dollars ($500) except those hereinafter particularly enumerated shall be in writing and shall not be made except with and from the lowest responsible bidder after due public notice by the secretary published once a week for three weeks at intervals of seven days in one newspaper published in such borough and if no newspaper is published therein then by publication in one newspaper printed in the county and circulating generally in the borough and all bids shall be received opened and read in open meeting of council at a time fixed by such notice and not earlier than twenty-one days after the first publication thereof

In case of an emergency so declared by the affirmative vote of two-thirds of all the members of said council or a majority of council plus one when the number composing such council is less than nine the notice shall be published at least one week prior to the time fixed therein for opening bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings provided that one week's notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with sufficient surety in the amount of fifty per centum of the amount of the contract within ten days after the contract has been awarded and upon failure to furnish such bond within such time the previous award shall be void

The contracts or purchases made by any council involving an expenditure of over five hundred dollars ($500) which shall not require advertising or bidding as hereinbefore provided are hereby enumerated as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment

(b) Those where particular types models or pieces of equipment articles apparatus appliances vehicles or parts thereof new second hand or rebuilt are desired by council which are patented and manufactured products and in cases of purchase under this provision specifications shall not be required to be prepared nor a bond exacted Provided however That this shall not apply to construction materials used in a street improvement

(c) Those made for improvements repairs or maintenance of any kind made or provided by any borough through its own employes or where the State or county is a party or cooperates through its employes or the loan of its equipment with the borough to a street repair maintenance or improvement

(d) Those made for any surety company bond or policy of insurance

(e) Those made for any public utility service where the service is to be provided by a public utility under tariffs on file with the Pennsylvania Public Utility Commission

It shall not be lawful for any burgess or member of council of any borough or any officer agent or employe thereof to be in any way interested either directly or indirectly in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars ($300) in any year or to receive

any reward or gratuity from any person interested in such contract or sale nor shall any burgess member of council officer agent or employe of any borough be a member of any partnership or a stockholder or officer of any corporation or an agent or employe of any individual partnership or corporation in any way interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars ($300) in any year and any person violating these provisions or any of them shall forfeit his office or appointment in such borough and also shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars To make to authorize and to ratify expenditures for lawful purposes from funds available therefor out of the current year's revenues or made available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of five hundred dollars ($500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings Provided That at least five days' notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within ten days after the contract has been awarded and upon failure to furnish such bond within such time the previous award shall be void Provided That delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

The contracts or purchases made by any council involving an expenditure of over five hundred dollars ($500) which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done

(b) Those made for improvements repairs or maintenance of any kind made or provided by any borough through its own employes Provided however That this shall not apply to construction materials used in a street improvement

(c) Those where particular types models or pieces of equipment articles apparatus appliances vehicles or parts thereof new second hand or rebuilt are desired by council which are patented and manufactured products

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with any municipal authority those in which another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority is a party or cooperates including herein the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies Provided however That the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies

(e) Those involving personal or professional services

Except as herein provided no borough official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the borough or for any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars ($300) in any year but this limitation shall not apply to cases where such officer or appointee of the borough is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise Provided however That in the case of a councilman or burgess if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the borough ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Section 9 Section one thousand two hundred two of said act is hereby amended by adding thereto immediately after clause sixty three new clauses to as follows

LXI Building Codes by Reference To enact and enforce suitable ordinances relating to buildings their construction alteration extension repair maintenance and all facilities and services in or about such buildings and for the enforcement thereof and provide for the enforcement thereof by a reasonable fine and by instituting appropriate actions or proceedings at law or in equity to effect the purposes of this act and ordinances thereunder At least one week and not more than three weeks prior to the presentation of the proposed building code ordinance to council an informative notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed building code may be examined or obtained shall be published in the manner provided by law for the publication of ordinances

The provisions of the ordinance need not be advertised or recorded as in other cases but may be supplied by reference to a standard building code approved by the Department of Internal Affairs of the Commonwealth or to parts thereof determined by council or the provisions of the ordinance may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the borough council or the provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such ordinance whether by reference to a standard building code or to a typed or printed code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein The procedure set forth relating to the adoption of the ordinance by reference may

likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

LXII To appropriate money not in excess of five hundred dollars ($500.00) annually for the expense of community nurse services

LXIII To appropriate money not in excess of one thousand dollars ($1,000.00) annually for the expense of the maintenance and support of a non-profit community ambulance service

Section 10 Amend Article XXIV by adding Section 2493 as follows

Section 2493 All boroughs are hereby authorized and empowered to acquire by lease purchase or condemnation proceedings any land which in the judgment of the corporate authorities may be necessary and desirable for the purpose of establishing and maintaining parking lots and may regulate the use thereof

Section 11 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE BILL No. 276 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 276, page 8 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 276, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies is hereby authorized to acquire by purchase or gift on behalf of the Commonwealth approximately five (5) acres of land at and surrounding the recognized site of William Penn's first landing in Pennsylvania at Front and Penn Streets in the city of Chester Delaware County The exact amount and location of the land to be acquired shall be determined by the Pennsylvania Historical Commission

Section 2 The Pennsylvania Historical Commission after said property has been acquired shall clear said property of all buildings structures and waste materials and shall grade and improve the same and shall provide for the maintenance of a suitable park providing a setting for this historical shrine

The Pennsylvania Historical Commission after said property has been acquired shall make and enforce the rules and regulations for the preservation visitation and maintenance thereof

Section 3 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition of the site referred to in the first section of this act and for the clearing grading and improvement of said land

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE BILL No. 288 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 288, on page 9 of today's calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 288, as follows:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone and the farm where he was born and to provide for the control management supervision improvement preservation and maintenance thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of further perpetuating and preserving the Daniel Boone Homestead in Exeter Township Berks County Pennsylvania where Daniel Boone was born and upon which the Commonwealth has already made extensive improvements and is in the process of restoring the original Homestead and out buildings the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission is hereby authorized to acquire by purchase gift lease or condemnation tracts of ground adjoining the present Daniel Boone property of the Commonwealth of Pennsylvania especially the land comprising approximately forty acres of land along the southerly and westerly boundaries thereof for the purpose of providing additional facilities and to prevent it being used for summer camps adjoining the pond on the Boone Homestead and for the purpose of acquiring the land around the upper part of the pond which extends beyond the boundary of the Boone property on the westerly line thereof and to acquire the parcel of ground which juts into the Boone property bordering on the State highway on the easterly boundary thereof and which contains a house and barn to serve as a residence for the caretaker and for the storage of automobiles tractors and implements used on the Homestead and for the purpose of improving the property by grading planting and fencing and preserving the same as an historical and recreational spot for the people of this Commonwealth

Section 2 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition of the land specifically described in this act and for the improvement restoration preservation and maintenance of the same and expense incurred in carrying out the provisions of this act Payment for said appropriation shall be made by requisition of the Secretary of the Department of Property and Supplies in the manner provided by law

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE SENATE, SENATE BILL No. 723

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 4, 1945.

Resolved (if the Senate concur), That Senate Bill No. 723, Printer's No. 472, entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine, of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further regulating judicial review.

be recalled from the Senate for further consideration by the House of Representatives.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Education, reported as amended, House Bill No. 163, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of

Public Instruction, or other departments of the Commonwealth.

HOUSE BILL No. 568 CALLED UP

Mr. WAGNER. Mr. President, I call up for consideration at this time House Bill No. 568, on page 12 of the Calendar.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 568, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time. These amendments correct some omissions in the schedule, which have been checked with the members on the other side of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 1209.1), page 9, line 26, by striking out the words and figures "twelve (12)", and inserting in lieu thereof: twenty-five (25); Amend Sec. 1, (Sec. 1209.1), page 10, line 3, by striking out the word and figure "four (4)", and inserting in lieu thereof: five (5); Amend Sec. 1, (Sec. 1209.1), page 10, line 3, by striking out the word and figure "twelve (12)", and inserting in lieu thereof: twenty-five (25); Amend Sec. 1, (Sec. 1209.1), page 10, lines 8 to 14, both inclusive, by striking out the words "four (4) principals having" in line 8, all of lines 9 to 13, and the words "increments four (4)" in line 14, and inserting in lieu thereof: five (5); Amend Sec. 1, (Sec. 1209.1), page 10, lines 18 and 19, by striking out the word and figure "four (4)", and inserting in lieu thereof: five (5); Amend Sec. 1, (Sec. 1209.1), page 10, line 23, by striking out the word and figure "four (4)", and inserting in lieu thereof: five (5); Amend Sec. 2, (Sec. 1241), page 20, line 8, by inserting after the figures "1945-1946": and the school year 1946-1947; Amend Sec. 2, (Sec. 1241.6), page 21, line 13, by striking out the brackets before the figures "1945" and after the figures "1946".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

HOUSE BILL No. 754 CALLED UP

Mr. WOODRING. Mr. President, I call up, out of order, House Bill No. 754 on page 46 of the Calendar.

BILL RECOMMITTED

Mr. WOODRING. Mr. President, I move that House Bill No. 754, on second reading, entitled:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violation of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act

be recommitted to the Committee on Mines and Mining.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 127, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes and further regulating the burial costs

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendment:

Amend Section 1, page 4, line 3 by inserting after the word "class" and before the word "and" the following: and second class.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 280, entitled:

An Act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 293, entitled:

An Act providing for the appointment and expenses of a commission of nine persons to study revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 300, entitled:

An Act to amend section eight hundred thirteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by allowing members of county boards of school directors expenses for attendance at meetings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 380, on second reading, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" by redefining the scope of membership and territory

be recommitted to the Committee on Banking.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 411, entitled:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 496, entitled

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 580, entitled:

An Act to further amend the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by further extending the powers and duties of county commissioners of boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year of years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 583, entitled:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the constuction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connectiion with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolutions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 724, entitled:

An Act to amend section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improve-

ment without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 734, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further providing for the election of councilmen when the terms of all encumbrants expire in the same year.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 894, entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act athorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1120, entitled:

An Act providing for the health and safety of persons employed in and about coal mine in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes and for the reduction of taxes on real estate authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced

The first section was read.

On the question,

Will the Senate agree to the first section?

Mr. DENT. Mr. President, I want to call to the attention of the Senate this monstrosity before us now, conceived in iniquity and dedicated to the creation of chaos and political chicanery.

I offer, Mr. President, some enlightening amendments to House Bill 1190, Printers Number 738. I have four different sets of amendments each trying to do something to make this bill somewhat better, so I am offering them one at a time with the request that each set be acted on independently.

Mr. DENT offered the following amendments:

Amend Section 1, page 2, line 9 by striking out the words, "or on any real estate not now taxable"; amend Section 1, page 2, lines 26, 27 and 28, by striking out the words "So much of the proceeds of" in line 26, all of lines

27 and 28; amend Section 1, page 3, lines 1 and 2 by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

Mr. GELTZ. Mr. President, I ask for a roll call on the amendments and I ask my colleagues to vote against the amendments for the reason that the amendments eliminate the only possibility of giving real estate owners any relief from taxation under this bill. That provision contains the following wording, Section 1, page 2, lines 26 to 28, and then, page 3, lines 1 and 2, as follows:

"So much of the proceeds of any taxes levied under the provisions of this act as exceed one million five hundred thousand dollars ($1,500,000) shall be used at least to the extent of one-half for the reduction of real estate taxes."

In the debate on House Bill 936 the comment from the other side was that the Republican Party had done nothing for the relief of the home owner from taxes on real estate. This is one opportunity that the other side has in joining us in giving some relief to the home owner and the real estate taxpayer.

Mr. DENT. Mr. Presdent, I very seldom resort to the use of newspaper editorials or newspaper articles in explaining any action that I am attempting to take upon the Senate floor, but I have to admit that when I read the particular section that the gentleman from Allegheny seems to like so much, I became so confused that I searched around to find some authority that could explain it, and I find that the Pittsburgh Press, of April 24, 1945, has tried to analyze this particular section in this bill and, smart as the financial brains hired by the Pittsburgh Press are, they have been unable to fathom the meaning of the amendments offered by the gentleman from Allegheny—rather the amendments he so desires—and for the benefit of the Senate and for the benefit of the Legislative Journal I want to read into the Legislative Journal exactly what these amendments try to do.

The editorial reads as follows:

"OKAY, WHAT DOES IT MEAN?

"One of the current candidates for Mayor, Robert N. Waddell, has made a suggestion to the Senate committee considering a bill to permit Pittsburgh's City Council to levy taxes on anything the State doesn't tax—except wages and sales.

"Mr. WADDELL offered the following amendment to the bill:

"When the amount of revenue collected and the taxes levied and assessed, including those levied and assessed under the authority granted by this act, shall equal 25 million dollars, then for every one-half million dollars levied and assessed in excess of 25 million dollars there shall be a reduction in the tax on land and buildings of an amount equal to 50 per cent of the taxes levied and assessed in excess of 25 million dollars until the taxes on land shall be reduced to 20 mills and the tax on buildings reduced to 10 mills."

"If you got lost somewhere in that tangle, we don't blame you. So did we. But don't start kidding Mr. Waddell too soon. There are a lot of laws on the statute books which will stop you even more quickly. Mr. Waddell probably got some lawyer to write that for him."

"All right, what does it mean?

"Mr. Waddell, in much simpler language, says he is trying to fix it so the tax on real estate will be reduced in some proportion to the amount of money raised by the new taxes—whatever they will be.

"He wants to get the real estate tax down to 20 mills on land and 10 mills on buildings. That would mean two cents for every dollar of assessed valuation on land and one cent for every dollar of assessed valuation on buildings. Apparently, he figures that is about as far as we can go.

"But try to spell it out.

"If you knock off a quarter million dollars from the real estate levy every time you get a half-million more than 25 millions, you'll be reducing the real estate levy one-third mill on land and one-sixth mill on buildings.

"The minute you do that you don't have a half-million in excess of 25 millions any more. The amendment doesn't explain that. Neither does it say when the cut is to be made, the year of the excess or the next year.

"But suppose you set out to cut the real estate tax to 20 and 10 mills. How much 'Excess' revenue would you have to have?

"As nearly as we can estimate, you'd have to raise a total of 32½ million dollars a year from all sources before the real estate tax rate could be sliced to 20 and 10.

"In other words, somebody will be paying in 7½ million dollars a year to save the real estate owners $3,750,000 a year.

"Maybe we are figuring it the wrong way, but whatever way it is figured the result is bound to be equally obscure. It's a sort of walk-two-steps-and-slide-back-one formula. Or perhaps you only walk one step, and slide back two.

"In any case, it's typical of the slapstick manner in which the city's financial problem is being attacked by the politicians."

Mr. President, I ask the gentleman from Allegheny to call attention also to the first amendment, and not just pick out the amendment that he seeks to explain to the members.

In the Committee on Finance there was included in this bill an amendment that was added to line 9. After the amendment that originally was put in to eliminate the possibility of a tax on wages or a tax on sales this new amendment was put in, which I think the gentlemen of the Senate ought to know about, "or on any real estate not now taxable."

You say that you are broadening the tax base for Pittsburgh because the city of Pittsburgh, knowing its own problems, came to the Legislature and asked that you pass for the city of Pittsburgh the same type of legislation that you passed for the city of Philadelphia, when it was a Republican controlled Legislature and the city of Philadelphia was Republican, so you passed an act of the Legislature giving the city of Philadelphia the right to tax those items that could be taxed that are not taxed by the state. You did not put upon the officials of the city of Philadelphia any restriction whatsoever.

But you come along now and you stand before this microphone with a nice smirk upon your face and say the city of Pittsburgh officials asked for this. Not one bill that they had introduced, through their representatives, ever

saw the light of day. You come before this Senate and try to laugh off a very serious matter. The citizens of Pittsburgh are entitled to more consideration than just political bickering, working for the nomination of the Republican candidate for mayor.

I do not live in Pittsburgh, I admit, but I am a fellow-citizen to the citizens of Pittsburgh and Allegheny county, and I believe that they have a right, under our Constitution and under our usages of government, to govern themselves, the same as we in the Commonwealth feel that we are entitled to govern ourselves.

So, Mr. President, this little sneaker amendment says this, after you have eliminated the possibilities of placing in Pittsburgh certain basic taxes, you come along now and you take another tax item away from the realm of taxable property. You put this amendment in and this is what it does, it eliminates the possibilities of taxing any of the real estate property of the public utilities, you do not allow them to tax wages, you do not allow them to tax commissions, you do not allow them to tax sales, and now you come along and remove the tax on real estate belonging to public utilities, and then you go further and say "Look, you men in Pittsburgh, if your taxes ever come to the point where the proceeds that are levied under the provisions of this act exceed $1,500,000 more than the present amount of money raised by that same bill that we were debating awhile ago, which sets a limit on the millage that can be assessed against real estate, then you take fifty per cent off of that and you kick it back by way of real estate tax reduction.

I say to you, if you want to run the city of Pittsburgh, Mr. Geltz, you and your friends run for council and set your own budgets, but do not run for the General Assembly on the basis of coming here to work for the common good of the people of Pennsylvania, and then sit in this body and take the time of this Senate passing tax programs for the city of Pittsburgh.

Mr. President, these amendments that I offer would leave the real estate of any public utility subject to taxation if the city council so desires. City council has expressed its opinion that they do not need to tax wages, that they do not need to tax sales, but leave that up to them. Pass the same bill you have given the city of Philadelphia and give them the right to work out their own salvation, and if they work it out wrong, if they do it so that it becomes a burden upon the people of the city of Pittsburgh, the people of the city of Pittsburgh can go to the polls and there find the cure for the evil. That is all we ask you to do.

You can pass this bill, yes; you have a majority in the House and you have a majority in the Senate, but I predict to you now that the Governor of the Commonwealth of Pennsylvania will not sign this type of legislation, because he knows that by so doing he would set up a precedent that would force every man that runs for the General Assembly to be under the pressure of local tax justice leagues and crack-pot outfits that may form in his community, who will sign petitions against city council or borough council's tax program, and come before the General Assembly through their legislators and ask that they put in a bill which would limit the tax duplicate that can be assessed against the inhabitants of any given community in the state of Pennsylvania.

I have heard members of this Senate in the past twelve years argue about the question of setting salaries for policemen in the various communities, saying that we here in Harrisburg have too many other duties to perform than to have to sit here and worry about who wants wages raised in various localities. We felt that was purely a matter of home rule. Your party has always prided itself upon the fact that it believed in home rule, and here you are today stepping into the second largest city in the Commonwealth of Pennsylvania and telling them what they can and what they can not tax.

I know these amendments will be voted down, because you men on the other side are bound by certain political adherences and allegiances and yet, you know, I have talked to enough men on the other side to know that you think this is about as bad a piece of legislation as has ever been introduced.

Mr. President, I rest the case upon that group of amendments.

Mr. GELTZ. Mr. President, I desire to interrogate the gentleman from Westmoreland.

The PRESIDING OFFICER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. GELTZ. Mr. President, I desire to inquire of the gentleman from Westmoreland concerning the editorial from the Pittsburgh Press, to which he referred; does it include the wording of the so-called amendments which it discusses?

Mr. DENT. Does it include the wording of what?

Mr. GELTZ. The wording of the so-called amendments which it discusses; is it all quoted in the editorial?

Mr. DENT. No, Mr. President, it does not include the wording; it only includes what happens.

Mr. GELTZ. Did the gentleman from Westmoreland not read wording that was supposed to be a suggested amendment?

Mr. DENT. That is right.

Mr. GELTZ. Would the gentleman from Westmoreland mind reading it again?

Mr. DENT. Certainly. "Then for every one half million dollars levied and assessed in excess of 25 million dollars there shall be a reduction in the tax on land and buildings of an amount equal to fifty per cent of the taxes levied."

Mr. GELTZ. Can the gentleman from Westmoreland, in that editorial, find the wording in this amendment that he is attempting to strike out?

Mr. DENT. No, Mr. President, but I find exactly what the amendment aims to do in this editorial.

Mr. GELTZ. Mr. President, does the gentleman from Westmoreland see in House Bill 1190, as it now appears, and which the gentleman is trying to amend, any wording or figure of $25,000,000?

Mr. DENT. There is no wording there about $25,000,000.

Mr. GELTZ. Did the gentleman from Westmoreland not read that before?

Mr. DENT. I read $25,000,000.

Mr. GELTZ. Will the gentleman from Westmoreland tell the Senate where he finds any wording concerning $25,000,000 in the amendment?

Mr. DENT. No, Mr. President, but there is a companion

bill which fixes the maximum millage you can set in the city of Pittsburgh.

Mr. GELTZ. Mr. President, the other bill has nothing to do with this, in so far as $25,000,000 or $1,500,000 is concerned. The editorial which the gentleman from Westmoreland read was an editorial which was written in connection, Mr. President, with a suggested amendment which was not made to this bill, and which is entirely different from the amendment which appears in this bill—the wording of the suggested amendment was quite complex—and therefore that wording is not in House Bill 1190 as it now appears.

Mr. DENT. Mr. President, I do not like to disturb the restful atmosphere of the Senate by calling a lot of men back that do not know what we are talking about, because they are not here; I know I can not hope to get their votes, so I will even forego the calling of the roll, and I would just as soon have a showing of hands. Just take a vote.

And the question recurring.

Will the Senate agree to the amendments?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the first section?

Mr. DENT. Mr. President, I offer the following amendments and ask that they be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 3 by inserting after the word "the" and before the word "second" the words: first and; Amend Section 1, page 2, line 2, by inserting after the word "the" the words: first and; Amend Section 1, page 2, line 13, by inserting after the word "the" the words: first and.

On the question,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, by way of explanation I want the gentlemen of the Senate to know exactly what these amendments do. This bill now deals with the city of Pittsburgh, and I feel that in fairness to the members from Pittsburgh, that the members from Philadelphia ought to have the same kind of a nice bill. If it is good for the city of Pittsburgh, it must be excellent for the city of Philadelphia—those two cities are comparable—and so Mr. President, I offer these amendments to the Senate to put Philadelphia within the limits of the bill, in order that the city of Philadelphia will get the same kind, gracious treatment that is being given to the city of Pittsburgh.

By the way, Mr. President, these amendments will wipe out the wage tax in the city of Philadelphia. The question of wage tax has been one that has haunted the members of the General Assembly for years. So, therefore, now we have squarely before us the question whether you want a wage tax assessed in the city of Philadelphia or whether you do not, because if you accept my amendments, you wipe out the wage tax in the city of Philadelphia, the same as you restrict city council in the city of Pittsburgh from placing a wage tax.

I ask that the amendments be voted upon.

Mr. GELTZ. Mr. President, of course I ask my colleagues to vote down these amendments, and the reason is very obvious. The administration in the city of Philadelphia wanted a wage tax and they have imposed a wage tax. When House Bill 1190 was introduced in the House it would have given the city of Pittsburgh the same right and the same opportunity that the city of Philadelphia had under the Sterling Act and under which they imposed their wage tax.

However, at the instance of Democratic Legislators in the House and offered by them, was an amendment or restriction which appears in House Bill 1190 now, which provides: "Nor to levy or assess a tax on wages, occupations or sales." In other words, the city fathers in Pittsburgh, the Democratic administration, said "we no not want to levy a tax on wages. occupations or sales." The administration in Philadelphia said "we do want to impose a tax on wages."

Now, Mr. President, we are doing exactly the same with Pittsburgh as we did with Philadelphia; we gave Philadelphia what it wanted; we are giving the city of Pittsburgh what they said they wanted.

Mr. DENT. Mr. President, if the gentleman from Allegheny wants to give Pittsburgh what it asks for and what it wants, a bill has been resting in his committee for many a day; call it up here on the floor of the Senate and the members on this side who are residents and friends of the city of Pittsburgh will be glad to vote for it—I am sorry, Mr. President, the bill is not in the committee on Finance; it is in the committee on Municipal Government, but of course we can not help that.

And the question recurring.

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. KEPHART and Mr. DENT and were as follows, viz:

YEAS—13

Barr,	DiSilvestro,	Klein,	Rosenfeld,
Coleman,	Haluska,	McCreesh,	Stiefel,
Cox,	Holland,	McGinnis,	Woodring,
Dent,			

NAYS—22

Berger,	Geltz,	Letzler,	Troutman,
Blass,	Heyburn,	Snowden,	Wagner,
Carr,	Homsher,	Stevenson,	Walker,
Chapman,	James,	Taylor,	Woodward,
Crider,	Jaspan,	Thomas,	Tallman,
Farrell,	Kephart,		Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the first section?

Mr. DENT. Mr. President, I offer the following amendment which I ask that the Clerk read.

The amendment was read by the Clerk as follows:

Amend Section 1, page 2, line 9, by striking out the words "not now taxable"

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, by way of explanation, I want to give the Senate the opportunity to make a completely good bill out of this now because, you see, the gentleman from Allegheny, Senator Geltz, was very solicitous about the welfare of the taxpayers who pay real estate taxes, and since by his action he is only interested, it seems, in those who own public utility real estate, we feel he ought to be just as honest and just as fair and interested in the little fellow who owns a shack on a hillside, and the business-man in the community who pays taxes now to keep that community alive and well, so we

have removed from his amendments the words "not now taxable", and now you can not tax any kind of real estate in the city of Pittsburgh. Since now we are going to tell Pittsburgh what to do, let this Legislature provide the money to meet the budget in the city of Pittsburgh.

Mr. GELTZ. Mr. President, I ask my colleagues to vote "no" on the last amendment offered by the gentleman from Westmoreland. To adopt this amendment would make this bill absolutely inconsistent in connection with the purpose we are trying to attain, and could not work with the other bill, in which there is a ceiling being imposed upon real estate taxes.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the first section?

Mr. DENT. Mr. President, I offer the following amendments and ask that they be read by the Clerk. Just a minute—I am sorry, Mr. President; I ask permission to withdraw the amendments because for some reason they were not made in accord with my instructions and, Mr. President, they do not fit the bill.

However, the argument is just the same. We are trying to remove from this bill the restriction on $1,500,000 and our logic for so doing, Mr. President, is just as sound as it can possibly be in the matter of determining taxes.

On page 2, line 26 of this bill, it says: "so much of the proceeds of any taxes levied under the provisions of this act as exceed one million five hundred thousand dollars ($1,500,000) shall be used at least to the extent of one half for the reduction of real estate taxes."

Mr. President, this presumes that the tax duplicates will be collected to the tune of one hundred per cent collection of the tax that has been levied on real estate and other taxes in the city of Pittsburgh. Any person in this room that has ever had the duty of assessing taxes and supervising the collection thereof, or the setting up of budgets of any communities, knows full well that you can not make any iron-clad rule in the matter of a budget or in the matter of tax duplicates that will prevail in the years to come.

One disaster in the city of Pittsburgh next year would necessitate, if you please, a special session of the Legislature in order to repeal this bill and its companion bill.

And now, Mr. President and members of the Senate, I do not feel that this is a waste of time upon the floor of this Senate, even if you persist in voting "no" on these amendments, because I say to you gentleman that there is a certain amount of duty that prescribes itself to a Senator's position here in Harrisburg; there are times when he has to rise above the political bickering of local political yokels who come here to Harrisburg and use this Senate as a sounding board for their political candidates, and I say we have to take into consideration the health, the welfare and the prosperity of the city of Pittsburgh and its hundreds of thousands of residents. And so I say to you gentlemen here now that the time has now arisen, we have come to that point in this session of the Legislature when we are trying to clear the desk, when we are trying to get out of here this week-end, when we are trying to call it a day so far as new legislation is concerned. Two years ago this same gentleman tied up this General Assembly with his fight to redistrict the congressional reapportionment bill in this Senate and we were tied up in the dying days and bitterness was engendered, bitterness between members.

Mr. President, the General Assembly in itself has had some mighty good men as members. Some of us have tried to take our duties seriously; some of us get reelected because we happen to have districts that return us to the General Assembly; and some of us just do not care what we do while we are here; but some of us try to do our job in an honorable fashion. I never want it to be known, in the years to come, by those who follow me in these halls here, that they will ever have a chance to look upon the record and see any piece of legislation I introduced that denies to hundreds of thousands of citizens the right of self-government. When I was a little kid there was a big empty barrel at the corner of our house; it was filled at times, when it rained, because it was at the end of a rain-spout, and during the time it was filled with rainwater it made no noise, but the peculiar thing about it, I discovered as a young fellow, was that the emptier the barrel, the louder the noise. Laughter in itself has a place; it is a wonderful thing, it helps to digest your food and helps you to enjoy the companionship of your fellowmen; it is something that is used at times to promote social good; it is something that shows that men are friendly; but there are other times when laughter can be used cruelly, it can be used meanly, and be so despicable that the men who indulge in it themselves feel conscience stricken. You can laugh but the people of Allegheny county, the citizens of Pittsburgh, are entitled to more than laughter from the members of the General Assembly.

And the question recurring,

Will the Senate agree to the first section?

It was agreed to.

The second, third, fourth and fifth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Saturday, May 5, 1945, at 2:00 o'clock p. m., Eastern War Time.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m., Eastern War Time until Saturday, May 5, 1945, at 2:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

FRIDAY, May 4, 1945

The House met at 1:00 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Blessed Father, grant us Thy grace that we may live in the Spirit and yield the fruit of the Spirit. Hasten the day when wars shall cease, and help us to build a new and better world in which man's inhumanity to man shall be a thing of the past; in which justice and peace shall prevail; and in which all men shall work together for the common good—that Thy kingdom may truly come, and Thy will be done on earth as it is in heaven. All this we ask in the name of Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, May 3, 1945.

The Clerk proceeded to read the Journal of Thursday, May 3, 1945, when, on motion of Mr. KOMOROFSKI unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMITTEE REPORTS

Mr. YEAKEL from the Committee on Rules reported as committed Senate Concurrent Resolution Serial No. 129.

Mr. SORG from the Committee on Rules reported as committed Senate Concurrent Resolution Serial No. 126.

PERMISSION TO ADDRESS HOUSE

Mr. BONEY asked and obtained unanimous consent to address the House.

Mr. Speaker, on Wednesday I submitted a resolution to discharge a Committee, the Committee on Mining. The purpose of the resolution at that time was to lend some aid or to endeavor to extend some relief to a long suffering people. It seemed ironical at the time that the roll was being called, this is what occurred back in one of our communities, and with your kind attention, Mr. Speaker, I will quote this article with which I came in contact yesterday.

PITTSTON WOMAN DROPS INTO MINE CAVE WHEN BRICK WALK IN REAR OF HOME COLLAPSES

Mrs. Clayton M. Ryce, Mother of 11 Children, Suffers Undetermined Injuries After Descending Steps From Porch

A 57-year-old Pittston woman, mother of 11 children, suffered undetermined injuries yesterday afternoon when a brick walk in the rear of her home collapsed and dropped her 25 feet into a cave hole which still was reported expanding last night and affecting the foundation of the building.

Mrs. Clayton M. Ryce, 20 Webster Street, was under her physician's care following her harrowing experience, and it will be several days before the extent of her injuries can be ascertained, members of her family said.

The woman descended from the rear porch to the walk when the cave, approximately five feet in diameter, developed.

Mrs. Ryce's husband, in the home at the time, heard her scream, and with a neighbor, Mrs. Michael Mahalick, went to her assistance.

A ladder was procured and with the aid of other residents of the section, Mrs. Ryce was brought to the surface and taken into her home.

The woman had been removed, however, and the fire equipment was sent back to headquarters, while the two police officers roped off the area.

However, members of the Ryce family said the cave was spreading last night and was beginning to pull at the rear foundations of the home.

The cave occurred in the same area in which numerous like subsidences have been experienced in the last several years, one of which claimed the life of a two-year-old girl.

RESOLUTION TO DISCHARGE COMMITTEE ON CONSTITUTIONAL AMENDMENTS

In the House of Representatives, May 3, 1945.

Messrs. CHUDOFF and ROSE offered a resolution which was read by the Clerk as follows:

Resolved, That the Committee on Constitutional Amendments be discharged from further consideration of Senate Bill No. 132, entitled "A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania, abolishing County of Philadelphia as a separate political entity, and providing for administering of county functions by City of Philadelphia" said bill having been referred to the Committee on Constitutional Amendments on April 25, 1945.

On the question,

Will the House adopt the resolution?

Mr. CHUDOFF. Mr. Speaker, Senate Bill 132 was introduced in the Senate by State Senator Woodward—Senator Woodward is a Republican and this bill passed the Senate by a vote of forty-nine to nothing. This is a bill that provides for the consolidation of the city and county of Philadelphia, which both political parties in Philadelphia agreed was absolutely necessary, and even in 1935 a like bill passed the Legislature and again passed the Legislature in 1937, and in 1937 was submitted to the voters of Pennsylvania for the purpose of having them vote as to whether they wanted this constitutional amendment or not. The vote in Philadelphia was overwhelmingly for these amendments. However, the upstate Republican vote, which was against the amendments, killed the bill.

When the Democratic party leaders in Philadelphia were discussing a program to be introduced in this Legislature by the Democratic party they went on record for a city and county consolidation. Republican Members of the Senate, both Senator Woodward and Senator Kephart introduced bills providing for a city and county consolidation. These bills passed the Senate, after which the Governor gave a statement to the newspapers that he was for city-county consolidation. Shortly thereafter the Republican City Chairman of Philadelphia, the present Secretary of Revenue, David W. Harris, also advised the press in Philadelphia that he was for a city and county consolidation.

In the meantime certain bills passed the House providing for the repeal of the wage tax in Philadelphia. When these bills were reported out of committee in the Senate

for a public hearing the Mayor of Philadelphia, together with a number of councilmen came before the Senate committee and asked that these bills be killed on the ground that the lack of income would bankrupt the city of Philadelphia.

Both the Bureau of Municipal Research and the committee of seventy-five agreed that if a city-county consolidation was accomplished the city administration could be run at the cost of four or five million dollars a year less, and it would enable the city to reduce the wage tax. In spite of all the clamor of all the civic organizations, in spite of the statement of the Governor of this Commonwealth and in spite of the statement of the Republican Chairman of the city of Philadelphia I am advised through the newspapers, the Bulletin and the Record, that Senate Bill 132 was considered by the Committee on Constitutional Amendments day before yesterday. These newspapers report, and I believe what they say is true, reported that two Republican Members of the House from Philadelphia were responsible for the killing of the city-county consolidation amendment bill.

I say to you, Mr. Speaker, can it be that this endorsement of city-county consolidation by the Governor and the Republican chairman of the City of Philadelphia is the same kind of lip service that has been given to the FEPC bill?

We feel that the consideration of this bill should be taken away from the Committee and that it should be discharged from further consideration. I ask for a roll call.

Mr. ROSE. Mr. Speaker, I was listening to the discussion of this resolution by my distinguished colleague, and I too have been wondering in these dying moments of this session what kind of political chicanery is going on here. I saw an attempt made last evening to evade the orderly procedure of this House to bring out a vicious piece of legislation.

Here we have measures introduced by Republican Senators designed to aid the city, which have been given a knifing, and I cannot see how any Member of this House who is interested in the City of Philadelphia can fail to vote for this resolution.

There have been various proposals advanced throughout the years to eliminate some of the evils which exist in the city. Just a few days ago in the Senate in the hearing on the wage tax measures some of the individuals who were opponents as well as proponents of the bill admitted that city-county consolidation would effect economies which are absolutely necessary, and we have an opportunity here to bring this measure into life. I too have been wondering whether the Governor and Dave Harris, the Paragon of Philadelphia have been merely doing lip service to this measure. This is an opportunity, and I think the Members of this House have an opportunity today to show whether they are really interested in economies in the City of Philadelphia, whether they are really interested in the matters about which they have been talking throughout the years. I say to the Republican Members of this House if they fail to vote for this resolution, they endorse waste, corruption and inefficiency in the City of Philadelphia. This is your chance, gentleman, to show by your vote whether you are really interested in decency and honorable government in Philadelphia, and I call upon the Members to support this resolution.

Mr. LEVY. Mr. Speaker, I cannot sit at my seat and permit this resolution to be introduced without some few remarks about what took place only this week in the Senate of Pennsylvania.

As you all know, the two repealers, one the direct repeal of all wage taxes in Philadelphia and the other introduced by the gentleman from Delaware, Mr. James, relative to the exemption of non-residents from the payment of the tax, were aired in a public hearings before the Senate Finance Committee only this past week, and at that hearing His Excellency the Mayor of Philadelphia stated very clearly that he agreed that the wage tax in Philadelphia was not the fairest tax, that if there were any proposals that might be tendered to eliminate the tax the City Council in Philadelphia and himself would be only too willing to consider the same.

It so happened, and I frankly admit, that there were no concrete proposals offered by any of the proponents of either bill to obviate the tax in Philadelphia, and in all fairness there was not a plan proposed which would of necessity have abolished the city tax, either in the next year or the year following. But this was said, the Mayor of Philadelphia and Councilman Egan of Philadelphia did say they realized that a city-county consolidation might effect an economy of four and a half million dollars—in the neighborhood of four and a half million dollars or upwards. The bill introduced by the gentleman from Delaware, Mr. James, which was considered that morning, exempting non-residents from the payment of the tax, could only have amounted to possibly six million dollars, so that I say to the Members of the House in support of the resolution offered by the gentleman from Philadelphia, if there is any sincerity in the Mayor of Philadelphia or his Council, that the least that they could have done was to see to it that the green light was given to the city-county consolidation bills in this House, and that the measures were brought from the committee in order that the Members of the House might have free and open discussion on the same. I appeal to those especially who supported the bill of Mr. James, House Bill 5, that in all consistency that they vote to support the resolution to discharge the Committee from further consideration of the city-county consolidation bill.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Chudoff.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHUDOFF. I shall, Mr. Speaker.

Mr. SORG. I do not know, Mr. Speaker, whether I understood correctly, and I desire to inquire of the gentleman whether he meant to infer that there was political chicanery in the conduct of the committee meetings where these particular measures were discussed.

Mr. CHUDOFF. Mr. Speaker, in answer to the gentleman from Elk, I did not say there was political chicanery in the Committee meeting. I simply said I read in the newspapers, two reliable Philadelphia newspapers, that two Philadelphia Members moved to kill the bill.

Mr. SORG. Mr. Speaker, I thank the gentleman.

I desire only to say that the meeting of the Committee where these measures were discussed was called in all

good faith, that the matter was presented to the committee in a manner calling for the full deliberation of the Members thereof, that there was no political motive or political chicanery whatever involved in the calling of this meeting.

As a matter of fact, Mr. Speaker, it was called at the earliest possible moment so that if the measure was found desirable it might be presented in good time to pass this House before adjourning sine die.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. LEVY. I desire to inquire of the gentleman whether he can inform the House of any other bill or series of bills in this session where the Governor in conjunction with prominent Republican leaders have stated their sympathy with the proposed bills and those bills were stymied in committee like the city-county consolidation bills for the city of Philadelphia?

Mr. SORG. Mr. Speaker, the gentleman asked two questions. One question is based on facts unfounded; that is the fact that this bill was stymied. Neither one of the two bills was stymied. I cannot answer the gentleman's question because in doing so I must admit that fact.

Mr. LEVY. Mr. Speaker, will the gentleman kindly tell me whether he was present at the hearing before the Senate Finance Committee relative to the wage tax bill of Philadelphia?

Mr. SORG. Mr. Speaker, I was not.

Mr. LEVY. Mr. Speaker, I thank the gentleman.

Mr. Speaker, all that I can say to the Members of the House is if there is not a clear inference that these bills were pickled under direct orders of the city leaders of Philadelphia, then I want a denial from the other side of the House, and at the same time the reasons from the Chairman of the Committee or some of the members of the Committee why these bills after so much political pressure had been brought, were not brought out before this body for consideration, that is all.

Mr. SALUS. Mr. Speaker, from the information that I received and from the reports in the newspapers when this Committee met these bills were unanimously postponed. That motion was voted for by both Democratic and Republican members of this committee. Normally——

Mr. SORG. Mr. Speaker, in all deference to the gentleman from Philadelphia Mr. Salus, I hope that he will not take offense at my rising and requesting that he not reveal in debate on the floor of this House the proceedings of the Committee.

Mr. SALUS. Mr. Speaker, I believe that that is a proper suggestion, but I was not a member of the Committee and I am not bound by what the Committee did, nor do I know what the Committee did except what I read in the newspapers. Of course, that is public property, and that is what I meant to refer to. I am not even a member of the Committee, I do not know what happened, and I am not bound under the rules that I shall not divulge what happened in the Committee. Whether it happened or not I do not know, but there are times when one can reasonably believe what they read in the newspapers.

Now, insofar as this bill is concerned, this bill together with the many other positions that our Democratic friends have taken during this session, is in line with an occurrence that I recall where a lot of men went duck shooting. One of the men didn't know anything about shooting, and one of the other men suggested to him "Shoot up in the flock and you may hit something." Our friends on the Democratic side have been shooting up in the flock in their efforts to kill the Republican efforts to put the city and county of Philadelphia on their feet, and I think this is shooting in the flock. Out of the many good laws passed by this Legislature and signed by the Governor they may by sheer good luck hit something in the flock.

Those that go along, all right, nothing will be heard of them further, they will be forgotten, and for all the efforts that our Democratic friends made in this Session—and they worked hard—I hope they get a duck somewhere.

Now, we will come back into this particular bill. In the beginning of this Session we came to this House; we came here, especially the Republican representation in the House, to do the best job that we could do for the City of Philadelphia, and we have succeeded, and I, only the other day said our Democratic friends have helped us in passing acts of legislation that have helped our city council to put Philadelphia on its feet.

Philadelphia is on its feet so far as not being in debt at the present time is concerned. We have made some progress, but we are not satisfied. We want to make it more perfect; we want to make much more progress. We want to make it so that our mayor and our council can get together on the program that they have laid down for post war efforts by the United States Government, post war efforts by the Pennsylvania Government, post war efforts by the City of Philadelphia, and they are now trying to frame such a schedule, that I believe our Democratic friends will be glad to see, even if they do not say so.

There was some talk about our City Chairman, and might I say for the benefit of our Democratic friends that we Members of the Legislature, nine of us, are up here to look after legislation for the City of Philadelphia. We work together and we take orders from no one, including the Governor of Pennsylvania, the City Chairman, the Speaker of the House, the Leader of the House, but as has been said here sometimes on the floor, we do as we please. We do as we please so far as it is for the benefit of the City of Philadelphia, and I want to say for the Members of the Legislature from Philadelphia that are here, none of them is under obligations to anybody, politically, financially or otherwise. We all are standing on our own bottoms, we all are standing on our own feet, with our own earnings and do not need politics for a living, and that goes for all of us. I do not know whether our Democratic friends can say the same thing. We are an independent group whose only interest in being here is the welfare of the City of Philadelphia, and I challenge any man on the Democratic side of the House to deny that statement. Most of our men here are substantial business men; they are in politics because they are interested in their town, and thy love the game and do not make their livelihood out of it. We are all stalwart Republicans, we believe in Republican principles, and we have such an open hearted and open handed feeling that the present day

New Dealer who is anxious to come back home will be allowed to come back home, and we will take them in our charge. But so far as this particular bill is concerned, it is nothing more nor less at the present time than one of those ducks that the Democrats are trying to shoot. It would not save the City of Philadelphia a single penny. There is no way that anybody could consider it that it would save a cent. It would change the whole program and would eventually cost the City of Philadelphia considerable money.

Our friends say that it is an opportunity to weaken the political Republican organization in Philadelphia insofar as patronage is concerned. I want to say to you for myself and the rest of our friends that as long as the Republicans can keep the patronage out of the Democratic hands and in the hands of the Republicans we are going to stick to that program because we believe in a two party political set up.

The SPEAKER. The Chair would request that the debate be confined to the question before the House.

Mr. LEVY. Mr. Speaker, I desire to ask one question of the gentleman from Philadelphia, Mr. Salus.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SALUS. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to ask the gentleman from Philadelphia whether he personally was in favor of city-county consolidation.

Mr. SALUS. I positively am not in favor of it and would not take orders from anybody in Pennsylvania to change my opinion.

Mr. LEVY. I thank the gentleman. I desire now to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. ROOT. I shall, Mr. Speaker.

Mr. LEVY. I would like to ask Mr. Root a like question, Mr. Speaker, whether he is in favor of city-county consolidation?

Mr. ROOT. I am not, because it is nothing but plain politics on the other side of the House.

Mr. LEVY. I desire to interrogate the gentleman from Philadelphia Mr. Costa, if he is in the hall of the House.

The SPEAKER. The gentleman is not in the hall of the House.

Mr. LEVY. I desire to interrogate the gentleman from Philadelphia Mr. O'Dare, is he personally in favor of the city-county consolidation?

Mr. O'DARE. I am not.

Mr. LEVY. I then desire to interrogate the gentleman from Philadelphia Mr. McCormack.

POINT OF ORDER

Mr. SORG. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Elk will state it.

Mr. SORG. The gentleman is not speaking on the motion, Mr. Speaker.

The SPEAKER. The point of order is well taken. The Chair desires to extend every latitude to the Members, but requests them to please confine their remarks to the motion to discharge this Committee.

Mr. LEVY. Mr. Speaker, in furtherance of my interrogation of the gentlemen from Philadelphia I only want to remind the Speaker that I sympathize with the position of the Majority Whip, but we contend in furtherance of the resolution, that the Governor made a public statement, also the Chairman of the Republican City Committee made a public statement that he was in favor of, and if I recall correctly the Chairman of the Republican City Committee went further, he said that the members of the Republican party in Philadelphia are in favor of a city and county consolidation.

After all, Mr. Speaker, we should be more interested in the subject of city-county consolidation than the gentleman from Elk, Mr. Sorg, who does not reside within two hundred miles of Philadelphia. I think it is directly in point and I think I have a right to interrogate them in order to get an answer to show the position of the Republican party in Philadelphia on city-county consolidation. I ask for a ruling.

The SPEAKER. The Chair has ruled on the point of order.

Mr. ANDREWS. Mr. Speaker, we very patiently bear with the Senator from Philadelphia when he imagines he is still in the State Senate and wanders all around the universal map. We sat here day after day listening to his aimless speeches, and we have objected. I think the gentleman from Elk could well, if he wanted to have made a point of order, have made it upon a Member of his own party who is departing further from proper procedure than any Member on this side.

The SPEAKER. The Chair can only rule on points of order when they are raised.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Salus.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SALUS. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, I would never imagine for one moment that he does, but does the gentleman in his capacity as leader of the Philadelphia delegation on the Republican side have conference with the City Chairman about pending legislation?

Mr. SALUS. I do not know that that is a fair question, but I will answer it. I will say no, I do not.

Mr. ROSE. May I ask whether the City Chairman, now Secretary of Revenue, David Harris, ever consulted with the distinguished gentleman in respect to city-county consolidation?

Mr. SALUS. He did not, Mr. Speaker.

Mr. ROSE. In the opinion of the gentleman, Mr. Speaker, does he think that city-county consolidation would result in certain economies?

Mr. SALUS. I am absolutely convinced that it would not result in any economies, but would cost the city of Philadelphia in the neighborhood of six or eight or ten million dollars to change from the present setup. If I didn't think that way I would be for the measure.

Mr. ROSE. Is it not true that there are certain overlapping functions conducted by those departments, by both city and county departments?

Mr. SALUS. I think I know a little about the way the city of Philadelphia is conducted, and I would say there is absolutely no overlapping, and there is no way that you could save by city-county consolidation, a single employe.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Chudoff and Mr. Rose and were as follows:

YEAS—84

Andrews,	Gallagher,	McNair,	Readinger,
Baker,	Gore,	McNally,	Reese, R. E.,
Bentzel,	Grant,	Mihm,	Reynolds,
Boney,	Green,	Mills,	Rose,
Boory,	Haberlen,	Modell,	Rudisill,
Brancato,	Heatherington,	Mooney,	Scanlon,
Brothers,	Hennihan,	Moore, W. J.,	Shaffer,
Brunner, P. A.,	Hering,	Moran,	Skale,
Chervenak,	Hersch,	Munley,	Snider,
Chudoff,	Hunter,	Murray, M. L.,	Stank,
Cohen,	Jones,	Nagel,	Swope,
Coleman,	Kirley,	O'Brien,	Tate,
Corrigan,	Komorofski,	O'Connor,	Trachtman,
Coyle,	Lane,	O'Donnell,	Trent,
Cullen,	Leonard,	O'Neill,	Varallo,
Dillon,	Levy,	Owens,	Verona,
Dougherty,	Longo,	Pentrack,	Weiss,
Duffy,	Lopez,	Petrosky,	Welsh,
Elish,	Lovett,	Pettigrew,	White,
Finnerty,	Matthews,	Polaski,	Wright,
Gaffney,	McLanahan,	Polen,	Yester,

NAYS—98

Barton,	Fullerton,	Madden,	Royer,
Baumunk,	Gardner,	Madigan,	Salus,
Bonawitz,	Getchey,	Mahany,	Serrill,
Boorse,	Gibson,	McAtee,	Shoemaker,
Bower,	Goodling,	McClester,	Sloan,
Breisch,	Greenwood,	McCormack,	Smith,
Brice,	Greer,	McDowell,	Snyder,
Brunner, C. H.,	Guthrie,	McKinney,	Sorg,
Cadwalader,	Gyger,	McMillen,	Stockham,
Cook,	Hall,	Mikula,	Stonier,
Costa,	Haudenshield,	Miller,	Stuart,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Turbett,
Dalrymple,	Hoffman,	Moser,	Turner,
Dennison,	Hoopes,	Murray, P. G.,	Wachhaus,
Depuy,	Huntley,	Nelson,	Wagner,
Dix,	Kennedy,	O'Dare,	Waterhouse,
Dye,	Kline,	Pickens,	Watkins,
Elder,	Krise,	Propert,	Wescott,
Erb,	Kurtz,	Reagan,	Wood, N.,
Ewing,	Lee,	Reese, D. P.,	Worley,
Foor,	Leisey,	Reilly,	Yeakel,
Fox,	Lichtenwalter,	Riley,	Fiss,
Freed,	Loftus,	Robertson,	Speaker.
Frost,	Lyons,	Root,	

NOT VOTING—25

Barrett,	Flack,	Howells,	Regan,
Bentley,	Fleming,	James,	Reidenbach,
Boies,	Hamilton,	Kolankiewicz,	Schuster,
Brown,	Hare,	Laughner,	Sollenberger,
Burns,	Herman,	Myhan,	Tahl,
Cooper,	Hoggard,	Powers,	Trout,
			Wood, L. H.,

So the question was determined in the negative and the resolution was not adopted.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

Mr. ROOT. Mr. Speaker, I call up the report of Committee of Conference on House Bill No. 660, Printer's No. 754.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 660, entitled: "An act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207) entitled, 'An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of assembly,' further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale and eliminating the right of redemption after such sales"

Respectfully submit the following bill as our report:

A. Evans Kephart,
Louis H. Farrell,
Maxwell S. Rosenfeld,
(Committee on the part of the Senate.)

Morris J. Root,
John R. McCormack,
Earl Chudoff,
(Committee on the part of the House of Representatives.)

An Act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge o fall liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" is hereby amended by adding thereto after section thirty-one a new section to read as follows

Section 31.1 In addition to the remedy prescribed in sections twenty-eight and thirty-one of this act whenever a claimant in any county of the first class has obtained a judgment upon its tax or municipal claim it may file its

petition in the court in which the proceeding is pending setting forth the facts necessary to show the right to sell together with searches or a title insurance policy showing the state of the record and the ownership of the property and of all tax and municipal claims mortgages ground rents or other charges on or estates in the land as shown by the official records of the county or the political subdivision in which the real estate is situate and thereupon the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages ground rents charges and estates and without any right of redemption after such sale If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that contemporaneously with the service of the rule on the parties respondent notice of the rule has been published by the claimant in at least one newspaper of general circulation in the county and in a legal periodical published therein if any and that the facts stated in the petition be true it shall order and decree that said said property be sold at a subsequent sheriff's sale at a time to be fixed thereafter by the claimant at least one year after the date of the decree clear of all claims liens mortgages ground rents charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims liens mortgages ground rents charges and estates and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages ground rents charges and estates of whatsoever kind and not thereafter subject to any right of redemption Advertisement of such sale shall be made and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff Provided however That any person interested may at any time prior to the proposed sale pay all the costs of the proceedings including a reasonable fee for the necessary title search or title insurance policy to be fixed by the court and all tax and municipal claims penalties and interest thereon charged against the property whereupon the proceedings on petition shall at once determine notice of this proviso shall be included with each service and in each publication of the aforesaid rule

For the purpose of enabling the petitioner in any such proceedings to give the notice required it may take the testimony of the defendant in the claim or of any other person whom it may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory

Any claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and while the said property so purchased is so held and owned it shall not be subject to tax claims

Upon the delivery by the sheriff of a deed for any property sold under the provisions of this section the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive and the validity thereof shall not be questioned for any cause whatsoever

Section 2 Section thirty-two of said act is hereby repealed insofar as it is inconsistent with the provisions of this amendment

On the question,

Will the House adopt the report of the Committee of Conference?

REPORT RECOMMITTED

Mr. ROOT. Mr. Speaker, I move that the Report of the Committee of Conference be recommitted to the Conference Committee for further consideration.

The motion was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 295 FROM THE GOVERNOR

Mr. CHARLES H. BRUNNER, Jr. offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 4, 1945.

Resolved (if the Senate concur), that House Bill No. 295, Printer's No. 582, entitled "An act to repeal certain obsolete and supplied penal laws," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Many of the Members of the House have asked me, Mr. Speaker, whether they will be permitted to spend the Sabbath this week with their families or whether they will be detained here in Harrisburg on the business of this General Assembly. I have been unable to answer them, and as a result many of them have been unable to make plans. I would like to know, Mr. Speaker, whether there is any information that the Speaker can give the House regarding our probable activities on next Sunday.

The SPEAKER. The Chair is unable to answer the gentleman's question. The Chair will assure the gentleman from Cambria that as soon as the information requested is received the Chair will be glad to give it to the House.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 44, 218, 664, 767.

House Bills concurred in by Senate, 279, 1258.

Amended House Bills returned for concurrence 58.

Amended Senate Bills concurred in by Senate 519.

Senate Bills to be signed 248, 374, 607.

PARLIAMENTARY INQUIRY

Mr. NAGLE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NAGLE. Mr. Speaker, relative to the matter the Minority Floor Leader mentioned a moment ago, I would like to know whether or not the House has authority to compel Members to remain here in session on Sunday?

The SPEAKER. The House has the authority to compel its Members to attend at any time. That is a matter for the House to decide.

Mr. NAGLE. Then, Mr. Speaker, that would be a question for the House to decide.

My other question might not be germane to this, however, I note in Article I, Section 3 of the Constitution, that it gives every person in our state the right to worship according to his religious views, whether they be such that his worship is to sit out under a tree on that particular day or to remain in bed. I am wondering whether

or not even though this House backed a move to send a sergeant-at-arms to bring a man in who was not here because of religious scruples, whether it would not be in violation of Article I, Section 3 of our Constitution.

The SPEAKER. The Constitution of Pennsylvania gives the House of Representatives the right to compel its Members to attend Sessions.

Mr. NAGLE. Mr. Speaker, I submit that we are not supposed to be here on Sunday, but a time honored custom of this House is to turn the clock backward so it still remains that time, whether that be Saturday or Monday, the day set for this House to adjourn. On the floor of this House of course we assume that it is Saturday or some other day of the week than Sunday, but actually and factually when a man leaves the floor of this House and goes out, then we have Sunday, actual and factual, and I contend that any power that this House might delegate to a sergeant-at-arms would be in violation of our Constitution.

RESOLUTION

TO DISCHARGE COMMITTEE ON PUBLIC HEALTH AND SANITATION

Mr. ELISH offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 3, 1945.

Resolved, That the Committee on Public Health and Sanitation be discharged from further consideration of House Bill No. 667, entitled "An Act providing for the complete medical examination and care of all children under twelve and all persons over sixty-five years of age who are residents of this Commonwealth, and imposing certain duties upon the Department of Health" said bill having been referred to the Committee on Public Health and Sanitation on February 20, 1945.

On the question,

Will the House adopt the resolution?

Mr. ELISH. Mr. Speaker, several weeks ago we passed a bill which made a forward stride in the field of health in the Commonwealth of Pennsylvania. I wish to commend both Republicans and Democrats for passing this measure. I am referring to the bill that made it mandatory for school children in the state to have physical examinations periodically. As much as I admire this bill, it still in my opinion does not go far enough. My bill, House Bill 667, provides that all children under the age of twelve in our Commonwealth not only have periodic examination but that they be given care to correct any physical disabilities that they may have or incur, and it also provides that indigent aged, people who are over sixty-five years of age, receive medical attention as well. This type of legislation is nothing new. Our mother country, England, has had it on her statute books for quite a number of years. So I would recommend this bill to the favorable consideration of the Members.

On the question recurring,

Will the House adopt the resolution?

On a rising vote sixty-three Members having voted in the affirmative and eighty-three in the negative, the question was determined in the negative and the resolution was not adopted.

DEATH OF FORMER MEMBER ANNOUNCED

The SPEAKER. The Chair with regret would inform the House of the death of a former Member, the Honorable Charles L. Terry of Wyoming County.

The SPEAKER. The Chair requests the gentleman from Bucks, Mr. Stockham, to preside.

MR. STOCKHAM IN THE CHAIR

CONGRATULATIONS AND PRESENTATIONS

Mr. STOCKHAM. Mr. Speaker, it has been my pleasureable duty for a number of sessions to act as the Chairman of a Committee at the end of the session for this very pleasant occasion when we lay aside all the cares and all the discussions on the floor of the House for the niceties of the expressions of appreciation to those who have been our leaders and who have carried on the work. I believe this program was to have taken place yesterday, but the calendar carried us through to such an early hour that it was delayed until this minute.

Yesterday I sought the unanimous consent of the House to be absent to return to my home. I want to thank the House for granting me that privilege, because it was an opportunity for me to participate in a dinner celebrating the twenty-fifth anniversary of an organization, our local bank, of which I have been a part for all of its years of existence. so it was my privilege to be at home last evening to participate in those festivities.

In my absence one of the committee, Mr. Benjamin F. James, accepted the position of officiating. Mr. James was so willing to do this that I think we should continue the program as it was arranged to be carried out yesterday as though I had not been present. I will therefore ask, Mr. Speaker, that Mr. James take over the program and carry on with the resolutions and the program until it is finished. May I, however, have the privilege of making a few closing remarks? So with your permission I will ask Mr. James to come to the rostrum.

MR. JAMES PRESIDING

The CHAIRMAN. The Chair recognizes the gentleman from Lehigh, Mr. Lichtenwalter.

Mr. LICHTENWALTER. Mr. Chairman, at the outset of the 1943 session and again at the commencement of the 1945 session it was my great honor, privilege and pleasure to nominate a man to the high position of Speaker of this House and to see that man elected on both occasions.

In my remarks in placing a name in nomination for Speaker of this House, I said there were certain qualifications required to be a leader and to preside over the deliberations of this body in fairness to every Member, regardless of his political affiliation.

I said that that gentleman would have to be of sterling character possessed with patience and tolerance, and who regardless of the temper of the House would never lose his sense of fairness and equanimity. I think we have had in the Speaker of this House one who has met all the requirements and qualifications I had set forth as necessary to preside over this body.

On numerous occasions we found that because of long sessions, because of heated debate, it required the best that is in any man to preside and to render decisions from the Chair. I know that the Speaker of this House, during the 1943 and 1945 sessions, ably lived up to all

the many requirements necessary in a presiding officer; that he held high the traditions of the Chair of the House of Representatives; that he as ably filled that position in a manner that maintained the high standards of dignity established by his able predecessors.

Therefore, Mr. Chairman, I offer the following resolution.

RESOLUTION

THANKS EXTENDED TO SPEAKER

Mr. LICHTENWALTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 3, 1945.

To eulogize the Speaker is a most difficult task.

To try to paint a word picture of him that would portray his many outstanding qualities would be as impossible as to improve with gilt the beauty of the lily.

The Speaker is his own eulogy. He and his works will linger longer in the memories of those of us who know him, by reason of his sincerity, his friendliness, his honesty and his integrity than through any words on printed pages.

At the close of this, his second term of service as the Speaker of the House, he looms larger than ever and those characteristics that endeared him to the Members during the session of 1943 have continued unfalteringly through this one.

He has maintained the full respect of this House for his unchanging fairness, his strict adherence to the rules that govern the House and his constant friendliness.

The experience gained through the turbulent and strenuous days of the former session has added to all the strength that was then his and has assisted in bringing about an earlier adjournment.

As the end of the session grows near, we regret that an end must also come to that association with him which he has made so delightful.

He has furnished an example of fairness, of friendliness and of sincerity which, if emulated by us, will bring more of real joy and contentment to us than any other thing that could flow from our attendance here; therefore be it

Resolved, That we, the Members of this House of Representatives of the Session of 1945, fully cognizant of all that the Speaker of this House has done to make our work easier, our time here shorter and our experience more pleasing, hereby extend to him our thanks for his continuous and willing help and assistance, his uniform and unfailing fairness, and his constant friendliness; and as we prepare to leave, we extend our best wishes for his full success in every undertaking, his good health at all times and his complete contentment at the conclusion of every day; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Honorable Ira T. Fiss as added evidence of our high esteem for him and for his conduct of the House during the Session of one thousand nine hundred and forty-five.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Salus.

Mr. SALUS. Mr. Chairman, I was told once today that I talk too much, and they tell me that the Representative from Cambria County has gone adrift, and they are right.

For me to say nothing would be rather unfair. The things that have been said by the gentleman from Lehigh on this resolution speak volumes for our Speaker.

Mr. Chairman, we are living in a great country; we are living in a great state; and what is happening here today ought to be a proud heritage for our Speaker to hand down to those who will follow him in the years to come.

To have been Speaker of this House in a time like this is certainly a wonderful honor, and to fill that position as it has been filled is certainly a credit and a glory to the man who presides. All of us who came to the Halls of this Legislature in this session, notwithstanding our bickerings, came here with sorrow on our shoulders and hope in our hearts, but today we have heard messages from abroad that will or should lighten many of our burdens. Sorrows have come in the past few years to many families and those sorrows can never be eradicated as long as they remain on this earth, but to others who have boys who will come back in the near future—and we hope in the near future from the message we received today—this will be a memorable day.

To be a Member of the Legislature of Pennsylvania is a wonderful honor, but it is much more important to be the Speaker, when the future looks so bright and hope is so high, particularly when one leaves the position with the good will and the heartfelt best wishes of every Member on the floor of this House. I say that sincerely and say it without a single reservation. To be here in the place that is designated and known as the Palace of Justice, the place in which the marble is a copy of the famous temple of King Solomon, the place where law and order has its foundation in the history of our state, as lawmakers who are trying to do the best we know how in our own way to follow those fundamental rules and regulations and laws laid down by the King of men, is a great honor and a glory.

I see in the near future the American flag waving over the world as the emblem in which all humanity will see its future, where prejudice, intolerance and also tolerance shall be wiped off the earth. I say tolerance too, because tolerance is not sufficient to clear up the conditions of the times; it must be tolerance and cooperation by all the peoples of the world in order that the spirit of the American flag may fly in glory over the world, and that the great honor that we are bestowing upon our Speaker today shall be an honor to him and to all of us for now and evermore.

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Chairman, "The shouting and the tumult die. The captains and the kings depart."

It is indeed a distinct privilege to have the opportunity to second the resolution presented by the gentleman from Lehigh, Mr. Lichtenwalter. I do not believe, though, that our Speaker, who has so ably presided over this body, would desire that praise be heaped upon him, but that he would prefer that on this occasion we bear testimony and faith to the high calling to which we have come.

It is no mere accident that the lower House of the Legislature of this Commonwealth, and the lower House of the law making bodies of all the States of our Union, have a tradition far beyond that given to those distinguished Members of the upper chamber, for it was the lower house of the law making bodies of the early days when this nation was fighting for independence that chal-

lenged those who attempted to hold people in political and economic slavery; it is no mere accident that under our constitution the sole right to impose taxes upon the people was given to the House of Representatives. That right was placed there because the House of Representatives was the forum in which the people had faith and confidence. And so the high traditions of the House of Representatives must be preserved and defended, and to our Speaker who has so ably presided over this House we simply say that we now repledge and rededicate our lives to those traditions.

So, Mr. Chairman and Speaker of the House, as we depart to our homes let us pray that this bloody slaughter will soon be over and that there will come news of peace to all the peoples of the world. We take as our solemn sacred duty never to violate the trust and the confidence placed in us by our constituents and to keep inviolate the rich heritage of freedom bequested by those who have fought and died that we might continue as a free nation. I know the Speaker will do his part, and may we follow him in the days ahead as we have followed his able leadership during this session that is now ready to adjourn. I give you this message from those who sleep, the eternal sleep of the righteous for they sleep in full confidence that we will discharge our obligations to humanity with devotion and humility.

"To you from fallen hands we throw the torch; Be yours to hold it high.
If ye break faith with us who die we shall not sleep,
Though poppies grow in Flanders Field."

The CHAIRMAN. The Chair recognizes the lady from Mercer, Mrs. Dye.

Mrs. DYE. Mr. Chairman, it is a privilege and a pleasure to second the resolution that has just been offered. Words seem inadequate to express appreciation.

However, I would like to say in behalf of the women Members of this House that we feel it has been an honor to have had the opportunity to serve here, that our work has been made easier by the fairness and the cooperation of the Speaker. Sometimes the hours have been long, putting it mildly, and very tiring—mildly expressed also tempers have been sharp, but the Speaker through it all—surely his patience sometimes must have been sorely tried, has maintained the even tenor of his way. We appreciate his patience and tolerance in presiding over the deliberations of this House.

I am truly happy to second this resolution and to assure the Speaker that we appreciate the fact that he has served us sincerely, honestly and courageously. We are grateful to him for that.

The CHAIRMAN. The Chair recognizes the Minority Leader, the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Chairman, following yesterday's deliberations, I would not have imagined, as I entered upon the duties of this House today, that all the spices of Araby, or all the incense of India, or all the sugar of Cuba could have sweetened my disposition. However, I find that in this atmosphere I am beginning to melt even to the point where I can confer a beaming smile upon the gentleman from Delaware, who I perceive is back in his usual genial frame of mind. I have no doubt, Mr. Chairman, that it was the calmness, the serenity upon the part of our Speaker that prevented the exuberance of the gentleman from Delaware from even reaching a higher,—or a lower level. But, Mr. Chairman, you know it is my conviction, my sincere conviction,—and incidentally that is about the highest tribute I can pay to the Speaker, that he would have been as fair and as considerate and as impartial as he has been even though he had not known that House Bill 411 was going to come over to the House for final approbation, plus a few Senate amendments.

When I started out this session I thought that perhaps the Chair was being nice to me because of 411, but then he was nice the next day and impartial the next day, and kept right along no matter how irritating I was, no matter how irritating the gentleman from Philadelphia, Mr. Levy was,—he wouldn't even get mad at O'Brien,—and he never became angry with me.

I think that is a supreme accomplishment upon the part of any presiding officer if he will put up and never get angry with Members like myself or the two gentlemen that I have mentioned.

I had hoped, Mr. Chairman, when I received the election returns, that it might be my privilege to make the talk nominating a Speaker of this House rather than be confined to the role of seconding and moving that the nomination of the man who is now Speaker be made unanimous. But I want to say that after looking you all over, studying you well, if I had to accept one of you, I would have preferred the gentleman who is now Speaker.

This occasion has become traditional and comes just at the point where it is timed to ease tired nerves, to calm us, to enable a great many of us to listen to pleasant words, and although we know that what they say about all of us may not be exactly true, or maybe a trifle overstated, my God! how we like it.

So, Mr. Chairman, it is a privilege for me to testify that I have not from the beginning of this session noticed one single example, one single instance in which I could say I believed the Speaker was being intentionally unfair, and do you know,—do you know that if only you fellows had been as fair as the Speaker, you know you would not have gotten away with some of the things you have gotten away with. That again is a tribute, that it has not been your Speaker. The highest compliment that you can pay, and we can pay, is that he has not been the Speaker of the majority party; he has been that larger, bigger, more important factor, the Speaker of this entire House, and as such I salute him.

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Fleming.

Mr. FLEMING. Mr. Chairman, it is a distinct privilege to rise to second the resolution offered by the gentleman from Lehigh, Mr. Lichtenwalter. I feel that all that can be said possibly has been said.

I wish that I had the forensic ability of the gentleman who just preceded me, so that I too in glowing terms might pay tribute to a grand fellow. It has been my pleasure to have served along with a number of other men on this side of the House, in the 1939 and 1941 sessions with the present Speaker, when we are all impressed with his qualities of sound judgment, tolerance and leadership, and I am sure that the Members on the other side of the House have likewise been impressed with those qualities

of sound judgment, tolerance and leadership which our Speaker has displayed during the two terms that he has presided over this body.

I am sure, Mr. Chairman, that when we in this Legislature have completed our tenures of office in this legislative body, when we go back to the counties from whence we came and reflect upon our duties and upon the time and upon the fights and upon the trials and tribulations that we have had as Members of this House, a lot of things will become dim in our memories but I am sure that we will all look back and say that when Ira Fiss presided over the House at Harrisburg he not only was an excellent presiding officer but he was a grand and a swell fellow.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Finnerty.

Mr. FINNERTY. Mr. Chairman and Members of the House, I appreciate as a great honor and a great privilege, to be able to second the resolution presented by the gentleman from Lehigh. I am fully in accord with his remarks when he said our Speaker had never lost his sense of fairness. I am joining in those remarks, and wish to thank the Speaker for his calmness and his fairness to us Members, both Republicans and Democrats from the great city of Philadelphia, in view of the way we fought upon all of the Philadelphia legislation. I know many Members in this House would support a motion to separate Philadelphia from the rest of the State. However, I would say as a Member from Philadelphia, if that unfortunate event should happen, I am afraid the State would go into bankruptcy.

We Members from Philadelphia,—and I am speaking for both Republicans and Democrats,—love that great city; we feel that there is no city in these great United States that is a step ahead of the great City of Brotherly Love, the most historical city in this country. More historical events have happened in Philadelphia than in any other city in this country. The only thing we miss that is outstanding in history, it was unfortunate we never had the Boston Tea Party in Philadelphia.

I hope shortly we will be able, or one who will be a Member then, will be able to come to this Legislature and take the floor and say, "Mr. Speaker, ladies and gentlemen we invite you to the great City of Philadelphia," which will then be the seat of the United Nations Security League that will give us peace for the rest of our lives.

I wish to say to you, Mr. Speaker, as one who has served with you as a Member, and under you as Speaker in two sessions, that I always noticed and I have heard it remarked in all the tense moments when the Members were on pins and needles and had "nerves," that you never lost your calmness. When we called on the Speaker in his office he was always courteous even with his many duties, and I say again I consider it a great privilege and a great honor to be called upon to second this resolution.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The CHAIRMAN. The Chair recognizes the Speaker, the Honorable Ira T. Fiss.

The SPEAKER (Ira T. Fiss). Perhaps this is one of the greatest moments of my life, yet is always one of the most difficult. To be Speaker of this House and to have your confidence and trust is a wonderful tribute. You have honored me for the second time as your Speaker. I have endeavored to the best of my ability to serve you in every sense. If I have made mistakes, they certainly were not intentional. The emotions that overcome me on an occasion like this are beyond my control.

Members of the House; as this Session of 1945-46 draws to a close, we stand on the threshold of victory. During the time we were in Session, a war of unequaled magnitude and severity raged in every part of the world. The problems confronting us during the progress of the war were many and complex.

The earnest prayer of every one of us, is, that every Member of this House who has loved ones engaged in this conflict may return to them safely.

We would share our mutual woes, we would bear our mutual burdens, with heartfelt sympathy and understanding. The stress and strain of war, the fears and anxiety for those we love has made it difficult to perform our normal tasks.

I am deeply grateful to you for all your kindness and courtesy to me. Your statesmanlike approach to the problems before us, your resolute courage in these trying times, your fidelity to your duty as Members of this House has made this a successful and beneficial session.

The cooperation of the Members of the House, Senate and Governor has been unequaled in the history of the Commonwealth.

Three centuries have passed since William Penn founded his colony in the wilderness where law would represent the will of the common people. Penn sought the advice of other men but the greater part of the original Frame of Government was his. It was based on the fundamental principle that "all governments derive their just powers from the consent of the governed."

"Governments rather depend on men than men on Governments. Let men be good and the Governments cannot be bad."

Legislative power was vested in a Council of seventy-two Members and an Assembly of two hundred Members elected by the people. In 1776 a new Constitution provided for a single legislative body whose Members were elected annually. After 1790 a new Constitution was framed which provided for two legislative houses and a Governor to be elected by the people. The purpose of William Penn to found a home for those who love liberty and were able to govern themselves has endured with only slight Constitutional changes down to the present time.

The principle and purpose of William Penn still lives in the hearts and lives of nearly ten million people.

The men who moved through these Halls in past years were the torch bearers of humanity's progress and self government.

We must see that every stone in the structure of State Government is well and truly laid.

So that the spiritual and material progress of this great Commonwealth is maintained and advanced throughout the future years.

The worst threat to our future, is that we are increasingly paying too much attention to the superstructure called the State, and too little to its foundations, the home,

the school, and the church. In industrial, political, and international affairs we are searching feverishly for mechanical substitutes for the Golden Rule.

We are relying on the destructive weakness of force, and not on the strength and healing power of love.

This war is imposing a great strain on Constitutional government. The battle cry in this war is that—man shall be free.

Can freedom survive the conflict and weather the stormy period of reconstruction?

Recognition of a Supreme Being as the Creator of man's mind and body, and the re-establishment of law, both human and divine, in the heart of man as a guide to conduct, must be stressed anew.

Freedom becomes real only as we regard it as a vital element in the society in which we live. It is the greatest force which has moulded our present civilization.

Eternal Spirit of the Chainless Mind,
Brightest in dungeons, Liberty Thou Art,
For there thy habitation is the heart—
The heart which love of thee alone can bind;
And when thy sons to fetters are consign'd—
To fetters, and the damp vault's dayless gloom,
Their Country conquers with their martyrdom,
And Freedom's fame finds wings on every wind.

Ladies and gentlemen of this House, I am deeply grateful to you for all the honors you have bestowed upon me. There are some things which are eternal, like kindness, love, longsuffering and understanding. They live forever in the hearts and lives of each one of us. From the bottom of my heart I thank you.

The CHAIRMAN. The Chair recognizes the Chief Clerk.

The CHIEF CLERK (William E. Habbyshaw). Mr. Chairman, Mr. Speaker, the old Members are always eager to see the Members-elect and I definitely recall my first meeting with the present Speaker. He was in our midst but a very short time before we learned his sterling qualities. His ability very early manifested itself and his influence upon legislation became evident.

Mr. Speaker, on behalf of the Members and officers, Republicans and Democrats alike, we extend sincere thanks and appreciation for the way you have conducted yourself as head of the House. It gives me very great pleasure to present to you at this time this little gift. (Gavel)

The CHAIRMAN. Mr. Speaker, I have been directed by the Members of the House to present you with a small taken of sincere admiration with every good wish and every good hope.

SPEAKER IRA T. FISS. Thank you, Mr. Chairman. I would like to say, because it is something close to my heart, that it is my hope that this House of Representatives shall continue to become a better and more efficient parliamentary body.

The gavel you gave me is an emblem of authority. It is an emblem of order and decorum. Where there is confusion and disorder men cannot be efficient, and since we have passed a law that will make possible an electric roll call system I hope that future Speakers will not need to use the gavel so much during our roll calls.

I also hope that we may be able to set up a better system of Standing Committees which will function properly and give this House a more efficient method of doing its business.

I am sincerely grateful for your kindness and good will.

MAJORITY FLOOR LEADER CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Elk, Mr. Sorg.

Mr. SORG. Mr. Chairman, Members of the House, for one who is not gifted in the use of words, I find it surprisingly easy and extremely pleasing to present the resolution I propose to offer, because it is for our Majority Leader. Particularly so because I do not feel that it is the nearness of adjournment sine die that makes me feel mellow; I have felt that way throughout my entire association with him, because it is indeed rare that in the course of our affairs we should encounter an associate so unassuming, so affable, so courteous and understanding even when he is busy and we try him most. He is diligent, capable, and effective in his leadership. As for myself, Mr. Chairman, he has been a good boss and a real friend.

For the majority, we certainly cannot feel that we have honored him for two terms; we were lucky that we got a bargain, because I know that for all of the Members of this House his unselfish and sometimes self-effacing efforts have been a steadying influence. He has inspired us many times and acquired the good will of all the Members of this House and their undying friendship.

It does indeed, Mr. Speaker, give me great pleasure to offer the following resolution.

RESOLUTION

Mr. SORG offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

The respect and trust of the Members of the Session of 1943 won by the Majority Leader of that session, endured during the interim and obtained for him the wholehearted support of the Members of the majority party at the present session.

From the time that the control of the House was assured his party, the re-election of the Honorable Franklin H. Lichtenwalter as the Majority Leader, was conceded.

His friends of the former session were enthusiastically for him and their undivided support won that of the new Members.

His conduct of his office during this session has won for him new friends and has brought closer those of former sessions.

All the intelligence and modesty and ability that were displayed so clearly during 1943, have been more marked at this session, and his work on the floor, his keen grasp of every difficult situation and his accurate knowledge of the contents and purposes of every bill, have assured him the full trust and confidence of his colleagues; therefore be it

Resolved, By the Members of this House that we congratulate the Honorable Franklin H. Lichtenwalter upon the record he has sustained and enhanced as a leader during this session and at its closing we wish him every success that a continuance of activity in public life can bring to him, and all the happiness and contentment that can come from it; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Franklin H. Litchenwalter by the Chief Clerk of this House.

The CHAIRMAN. The Chair recognizes the gentleman from Montgomery, Mr. Wood.

Mr. LLOYD H. WOOD. Mr. Chairman, I suppose it is one of the compensating balances of this vale of tears, pathway of blighted hopes, clash of interests that we commonly refer to as the general session of the General Assembly, that we can pause and say nice things about each other, things that are true, things of merit, and in rising to second this resolution I do not feel confined necessarily to the subject of this resolution nor to this side of that mythical line of demarkation that separates the majority from the minority.

It is a source of continuing pleasure to me to look about over the House and see all the Members, not only on this side but on the other side, and fashion in my mind a present picture, a pattern of fine citizens that come here to do a conscientious job.

I gathered a lot of delight from the speeches of the Minority Leader. While he is gifted, possibly not to the degree of Jonathan Swift, yet he has a tongue that is a source of real pleasure to me when he starts weaving it around some object that displeases him for the moment, and then how adroitly and well-meaningly can be change the picture after the damage has been done, or rather after his point has been gained. I could welcome him in this chamber as a colleague on my side of the House, because I sure like to hear a guy who can talk and talk well. He is not alone in that respect; there are many capable orators on the other side of the House.

To return to the principal task at hand, Members, let me say this, I have thought it over several times as to what the qualifications should be for a Member to be a Majority Floor Leader. I feel in that respect that I possess some qualifications, at least to evaluate what that position actually demands, and in our Majority Floor Leader we have an individual who not only is a close personal friend of mine, but I have learned to love and admire him very much from a personal point of view. We have a man who in my opinion encompasses almost every imaginable desirable qualification to fill that high position. He is a man of poise, he is a man of balance, he has the patience of Job; he has got more patience than I have, I am frank to admit. I would literally fall apart if I were to be placed in some of the positions in which I have seen him placed, and which he just took as gracefully as someone would accept an assignment of that two hundred billion dollars worth of gold that we have learned they discovered in the salt mine over in Austria. He always has time to give you a few minutes to discuss your problem, and the nice thing about it is that when you get to talk to him it is not a thing apart or a polished brush-off, but he has the sincerity and capacity to really make your problem his own, and you Members all know that that is true.

So we have honored ourselves in this chamber by elevating this fine young man to the position of Floor Leader, not only once but twice. Now, I am not going to try and stretch the facts and picture him as a Daniel Webster, but Daniel Webster was famous, you will recall, for just one thing, and that is that he was an outstanding orator. Well, Frank is not a poor speaker by any means; you can understand him; he knowns what he is talking about, and it is to his undying credit that he knows something of interest and importance about all the necessary things connected with every piece of legislation that passes through this House.

He is my reference book, and I hear the brothers as they move down to this microphone within my hearing, as I sit in my seat, they come to him for information and receive it just the same as I do.

So in seconding this resolution I find myself in the position of the gentleman from Elk, Mr. Sorg, the gentleman who offered the resolution. I do not have to strain myself, rack my brain or hie myself off to the library to prepare some eloquent observation on the subject—I could get up here and talk until you got out of patience to listen and I got out of strength to talk, and I do not feel that I could exhaust all the nice things that are deserving that I might say about Frank. So it is a genuine pleasure, a real privilege and a high honor for me to be permitted to second the resolution offered by my distinguished colleague the gentleman from Elk, Mr. Sorg.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

CHAIRMAN JAMES. The Chair recognizes the gentleman from Lehigh, Mr. Lichtenwalter.

Mr. LICHTENWALTER. Mr. Chairman and my colleagues this is certainly a great moment in my life. It has been a great session, one that I shall never forget. I do not know why I asked for the job, along with all the strenuous duties, the late hours, the awakenings in the middle of the night to write notes on a pad under my pillow. I have enjoyed it, however, because you Members of the House have made the task a great deal easier.

There are many things that I will remember in this session. We in the Dutch country talk about the play "Papa Is All." Well, the gentleman on the other side, my good friend and colleague, the Minority Leader has announced that I am the papa, and the father, I believe, of many children on this side of the House. It is the first time that that honor has been bestowed upon me, and for that I am very grateful.

I do want to take this occasion to thank the Speaker and the Parliamentarian, the men at the desk and all the Members of this House for the splendid cooperation they have given me. I have not deserved any of it; after all I asked to undertake a difficult job. You owed me nothing, but you have certainly by your actions displayed a spirit of confidence and a spirit of faith that I shall never forget.

I want to take this opportunity to thank the gentleman from Cambria for his spirit of fairness and for the way he has acted on behalf of the minority toward the majority party. I could have at no time asked for greater cooperation. I would like to say that his word was his bond, and that in the deliberations of this House many times we have tried to save not only minutes but hours of the Members' time. We have met and tried to do some planning, not always to the knowledge of the Members but always with the intention of better serving the Membership of this House and the people of Pennsylvania. So I want to pay tribute to him for the fine spirit in which he has acted during this session toward the majority side and particularly toward myself.

Then I would like to pay tribute to the gentleman who offered the resolution, the Majority Whip. I have learned to love Herb Sorg. I have always liked Herb since I first

met him as a Member of this House. He has been sincere, he has tried his level best and has resulted in giving me that very necessary help that I must call for every day during the session. I owe a great debt of gratitude to him for the valuable service he has not only offered me but to the entire Membership of this House.

I could go on paying tributes and extolling the fine virtues and the spirit of fairness that has been displayed by all of the men on this side of the House and their loyalty to me, as well as the Members on the other side of the House for their friendship. I mark this day as a day I will never forget and I want to thank all of you.

The CHAIRMAN. Will the gentleman from Lehigh, Mr. Lichtenwalter, please come to the rostrum? The Chair is directed by the Members of the House to give you this little memento of esteem with our heartiest greetings.

Mr. LICHTENWALTER. I would like you to know, Mr. Chairman, that I am not in singing voice, but I would say that I thank you.

MINORITY FLOOR LEADER CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Chairman, I do not know why I was selected to present this resolution, but since there has been given to me the pleasure of so doing, I shall probably say a bit more than the person mentioned in the resolution would want me to say.

To begin with, I suspect he would be happier if there were no resolutions, and I imagine, with the independent streak in his makeup, that he could create some parliamentary snarl to prevent its passage, because I think the praise we heap upon him he does not want. The work that he has done has been a reward in itself, and the leadership he has given us and the leadership we have followed so well is reward enough for him. I know that is how he feels.

My resolution recites that he first came to Capitol Hill thirty years ago as a newspaper man—thirty years ago he was writing for the newspapers and I was selling them. He wrote for an independent newspaper in an independent spirit, and the people in the press room just treated him as somebody they had to tolerate because he was independent.

When I first met him in the 1939 session I found him to be a person of complete independence, a tenacious fighter, but always completely wanting something to be done as it should be done, and not letting an opportunity go by to state his position according to the book. I felt from that time until I heard happily that he was re-elected for this session, that if we Members of the House, being only human, would fall into the old failing that we all have of stagnating mentally, that we would at least have one Member on the floor who would provoke us to think, excite us to action, and generally keep us moving.

When he was selected by the minority party as Floor Leader and he asked me to help, I was very happy to do so without arrangements—there was no deal made; he held out no promise to me and I exacted none. I helped him and I learned a lot.

Upstairs where we hide out, some two hundred yards from where the Post-War Planning Commission has its abode, we changed the rules. We used to have only one room in the last session and we did with it, but this session the activity got greater and we have two rooms. We would discuss legislation, we would discuss strategy, how to dig a deep hole for Frank Lichtenwalter to fall into, and I followed him from one room to another, because the faster he walked the faster he talked, and I appreciated the fact that I was able to take care of myself physically by getting my exercise with him. He did not presume to know anything; he wanted to know everything. He kept us on our toes; if we wanted to do something he had to have a reason for it. So he would say "Let them vote on it," and then whether he agreed with it or not he would make the presentation as Floor Leader. But with it all he has been able to carry on well.

We on this side feel that he has done a splendid job; we on this side feel that he has not in any measure made one step backward from the position of our party. We think he has stepped forward and led the party with him in the attempt to advance the party program and the party platform. He did it well, he did it diligently, he did it faithfully, he did it honestly, and despite the fact that I had my own misgivings originally that it might not be pleasant, he did it pleasantly. For that on this side we are very happy, and I am quite sure on the other side you feel the same way. It is therefore quite easy to be able to say, first of all, I have found a friend; I believe that the other Members of the House also have found a friend, not to fear but to respect for his contrary opinion.

I, therefore, Mr. Chairman, take pleasure and great personal delight in offering the following resolution.

RESOLUTION

Mr. COHEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

A Minority Leader in this House ofttimes has no easy job, but it occurs only when the minority party is deeply in the minority. At those times his job consists chiefly of making a noise, raising smoke screens and assembling material for coming elections. He is a cross between an obstructionist and a nuisance, but when he represents a minority party that is in the minority by only a few votes, his job increases in importance, in volume of work, and in study.

The job of being Minority Leader at this session has been no mean job, it has rather been a herculean task that called for a master of tact, energy, finesse and strategy.

The minority party chose well, for the job has been masterfully handled by the selected leader who constantly carried the ball himself or lead the interference. He let no opportunity pass that afforded material for forthcoming election purposes, and at the same time he went along with the majority when he felt that support was merited.

He tolerated no useless obstruction tactics, but conducted the opposition campaign on a high plane, fearlessly, openly and courageously.

He won from the beginning the respect and admiration of the House membership and the end of the session finds that respect and admiration unabated; therefore be it

Resolved, By the Members of this House, that they extend their congratulations to the Honorable Hiram G. Andrews, who first came into this House more than thirty years ago as a special newspaper reporter and who is now closing his first session as the leader of his party therein,

for his outstanding and masterful handling of a most difficult task; that they wish him a long continuation of his service to the people and a fullness of joy in the knowledge of a work well done; and be it further

Resolved, That in evidence of the sincerity of their feeling, the Chief Clerk of the House of Representatives is hereby directed to furnish the Honorable Hiram G. Andrews with a copy of this resolution.

The CHAIRMAN. The Chair recognizes the gentleman from Westmoreland, Mr. Lovett.

Mr. LOVETT. Mr. Chairman and my colleagues of the House, it gives me great pleasure to rise and say a word or two for my boss on this side of the House.

In 1933 I became personally acquainted with the gentleman who came into this House, held a caucus in the telephone booth and came out as a candidate for Speaker of his party. In 1935 I had the pleasure of serving with the same gentleman as a member of my party.

In 1937 I found this gentleman in the House in a room upstairs set aside where he was considered somewhat of a rebel by some of the Members of this House, and lo and behold, in 1945 I found this same gentleman being selected to lead my party in the House of Representatives. To me that is an accomplishment, that is independence, and it is independence that makes men free. It gives me great pleasure to second the resolution presented by the gentleman from Philadelphia, Mr. Cohen.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Cambria, the Minority Floor Leader, Mr. Andrews.

Mr. ANDREWS. Mr. Chairman, I submit to you that there is something unfair about this program. Mr. Lichtenwalter, the Majority Leader, was sentenced to make but one speech, while I have been sentenced to make two.

If I thought that all of you felt what the resolution recites I would be compelled to emulate the Speaker and stifle my tears.

Mr. Chairman, I came to this House, in 1933; the Democrats did not want me, so I ran as an independent, and being by myself it was quite convenient to caucus in a telephone booth. I had no difficulty in arriving at a decision as to who should be my party candidate for Speaker. In surveying my delegation, consisting of myself, I could find no one more worthy than myself to stand as a candidate.

Now, Mr. Chairman, I can say that I became Minority Leader somewhat unexpectedly. I can say further that I have developed a talent I never knew I possessed, that of picking other people's brains, for I can assure you that if I had not had with me, back of me, by my side, at every stage of this Legislative session Reuben Cohen, that Reuben Cohen could not honestly have arisen and said one half about me that he has said and say it with any semblance of truth. When I have not known exactly what a bill intended to do, I went to Cohen and we talked it over. If I started down the wrong spur track he grabbed me by the coat tail and pulled me back.

I have one serious bit of advice to give to the majority party, as long as he continues to be in the House I would advise you to continue the gentleman from Lehigh, Mr. Lichtenwalter, as your leader. It is not casting any aspersions or reflections upon any Member of the majority party to say that as I survey you I see no one among you whom I believe could have kept so very many Republicans in their seats on so many days. In some way, by a magic that I am sure I do not possess, he has inspired your personal loyalty. I can say to him that part of any success that I have had as Minority Leader, part of any success that you have had—all the success you have had as a matter of fact—but part of my success has been the fact that he has been always willing to meet me four square upon the basis of the parliamentary equities of any situation that we faced.

I am glad that he raised the little point that some times in the course of legislative procedure the Majority and the Minority Leaders by getting together, without the formalities of having called a caucus, can actually make arrangements, can actually arrive at agreements, can actually outline procedure that will save you hours and hours and hours.

Mr. Speaker, I am appreciative of the courtesies you have extended to me. I publicly acknowledge my debt to Mr. Cohen; I publicly acknowledge my debt to the Membership on this side of the House. I publicly acknowledge my debt to you because of the consideration you have accorded me as I have risen from time to time upon the floor to say things, perhaps with which you disagreed, but we have managed in this session, I believe as a result of the leadership of your Majority Leader, as the result of the assistance that the Membership over here has accorded me and as a result of the advice that I have received from Mr. Cohen out of his ripe experience, to conduct up to this time a Legislative session which in the dignity of its procedure has not been excelled by any legislative group assembled in this House within my memory. I say to you that insofar as the niceties of legislative procedure are concerned, this House, which in years gone by was commonly regarded as being very ragged, while the other chamber was supposed to be very solemn and dignified, that compared to us in this session they have been an assemblage of ragamuffins, and I hope that whoever is the Majority Leader next time is a man of Mr. Lichtenwalter's standing, but I hope it is not Mr. Lichtenwalter. I hope the Majority Leader at the next session is a man of Mr. Cohen's stature.

I thank you for your patience, I appreciate your kindly sentiments, and as I said when I was speaking about the Speaker, perhaps all the things I have heard are not so, but goodness! how you like to hear them said.

The CHAIRMAN. Will the gentleman from Cambria, Mr. Andrews, please come to the rostrum.

Mr. Andrews, it is my privilege on behalf of the Members of the House to give you this little token of very high esteem.

Mr. ANDREWS. Members of the House, the Democratic party now has the beginning of a war fund.

MAJORITY WHIP CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Lehigh, Mr. Moser.

Mr. MOSER. Mr. Chairman and Members of the House. There came a young man, a member of the Bar from St. Mary's Elk County, as a representative in the General Assembly in 1941.

At the beginning of the session he was selected as the Republican Whip. He has won the friendship and admiration of his fellow Members by his open, frank and honest deliberations in the perplexing legislative problems with which he was confronted. I am sure if he will follow the same course in the future he will arrive at greater heights and more responsibilities as the years go by. We hope that Representative Sorg will reach the goal that he is aspiring for, that of becoming Judge of the Common Pleas Court of Elk County.

Mr. Chairman, I take great pleasure in presenting this resolution.

RESOLUTION

Mr. MOSER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

Every legislative session can always boast of at least one worth while accomplishment. It may be an outstanding piece of legislation, or it may be the discovery of an outstanding person.

This session witnessed the selection of a member to an important post, who has surprised those who selected him and has made the position one of greater importance than ever before.

He has dignified the job and what was formerly the occupation of a slave driver has become the profession of a leader. From a tough and driving sergeant he has grown into the rank of a colonel, and has done it without effort.

Elected to this House in 1940, he served during the dark days of the Session of 1941, learning much through constant defeat and came back during the 1943 Session to taste the pleasure of being with the majority.

When this House was organized, the Majority party selected him as its whip, but he has outgrown the title and is now its honey-tongued persuader. His knowledge of the bills on the calendar is comprehensive and he is always ready with an explanation that resolves doubt and compels understanding.

His name, of course, is the Honorable Herbert P. Sorg, and he hails from the town of St. Mary's in Elk County, from whence other illustrious statesmen have come.

He has done a good job and the Members of his party realize it so "look out for Sorg" and watch his smoke; therefore be it

Resolved, That the Members of the House extend to the Majority Whip, the Honorable Herbert P. Sorg, its best wishes for a continuation of the climb he has so well begun, congratulate him upon the manner in which he has performed his most difficult task and wish him a happy and comfortable summer; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Honorable Herbert P. Sorg, as evidence of the fact that it was actually adopted.

On the question,
Will the House adopt the resolution?
It was unanimously adopted.

The CHAIRMAN. The chair recognizes the gentleman from Elk, Mr. Sorg.

Mr. SORG. Mr. Chairman, if I could ever be tempted to let you damage my humility with these untrue things, then I just want to assure you I would need only reflect on the great number of the men this side, and certainly some on the other, with much more capability and perhaps many more merits. It leaves me with a feeling of only the very deepest gratitude and the recollection of the fact that all of you have never treated me in any other manner than that which was most kindly. Thank you so much.

The CHAIRMAN. Will the gentleman from Elk, Mr. Sorg, please come to the rostrum?

On behalf of all the Members of the House may I present to you this little token with all our good wishes?

MINORITY WHIP CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Yester. Mr. Chairman, Mr. Speaker, ladies and gentleman of the House, up until this part of the program I think the committee deserves credit. I do not know why they picked on me when there were so many Members on this side of the House who could have done a better job. The man whom this resolution was prepared for deserves more.

I remember in 1941 when I first came into this House I became acquainted with him; he was one of the first persons I met, and he took me under his wing. I can say that his advice has been very helpful to me, and I also realize that his advice has been equally helpful not only to the Democrats, but I know Republicans also have had his help. He has made three words very famous to the Members of this House, and I think that he deserves this resolution, because he made the words "Let's be fair" very famous.

RESOLUTION

Mr. YESTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

When it came to the election of a Minority Whip for this Session of the General Assembly, the Democratic Party had no difficulty in making a selection, for the very fair and efficient one of the Session of 1943 was there "waiting and willing."

Time has improved him and no Member of the Minority Party could find any fault with the services rendered to their Party by the Honorable James E. Lovett.

As he did last session, he has done this session—he has again done a good job. He improved his persuasive abilities, he has been able and industrious; and has added greatly to the number of his friends; therefore be it

Resolved, That the House extends to the Honorable James E. Lovett, the Minority Whip, its congratulations upon the success of his work and the quiet and efficient way in which he has kept the minority forces together; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Honorable James E. Lovett as evidence of the deep respect held by it for his outstanding ability and "fairness."

On the question,
Will the House adopt the resolution?
It was unanimously adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Westmoreland, Mr. Lovett.

Mr. LOVETT. Mr. Chairman and my friends in the House, I want to take this opportunity to thank the Speaker of the House, the Leader on the Republican side, my bosses on this side, for all the help they have given me during this session of the Legislature. I think at this time I should only say "Let's be fair" and make no more speeches.

The CHAIRMAN. For a special purpose the Chair recognizes the gentleman from Philadelphia, Mr. Salus.

Mr. SALUS. Mr. Chairman, since you have been acting as Kris Kringle up there it is pretty nearly time that somebody did something for you.

We the Members of the Philadelphia delegation, believing in the old adage that we love our neighbor as we love ourselves are presenting to you a placard for you to dispose of in the manner that you think best.

The CHAIRMAN. I had no idea of the purpose for this request to gain the floor at this time.

Oh, I understand I am expected to give this to the person in the House for whom it is appropriate.

This is a beautifully decorated sign—I suppose that you would call it a motto to hang on the wall. On the back there is what I would call a blank for the purpose of putting together a Members' roster. The sign at the top says, "Let's be fair." Of course if fairness were a human attribute, like courage or cowardliness or like strength or weakness, I might have difficulty in determining who this gift might best go to, but "Let's be fair" gives me a thought. Fairness is not a human attribute, it is a state of mind, and in this House a state of mind usually is relative as between this side of the House and that side of the House.

Now, relativity can be figured in its degree of accuracy mathematically, but I am not going to make any mathematical calculation in relativity today, because at the bottom of this sign is a note "Hand to Lovett." Let's be fair and hand it to Lovett. Will the gentleman from Westmoreland, Mr. Lovett, come to the rostrum?

Jim, in fond memory of your all too frequent state of mind I present to you on behalf of the Members for many many good reasons this little token of their esteem.

Mr. LOVETT. I want to thank the Members of the House.

CHIEF CLERK, OFFICERS AND EMPLOYES CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Northumberland, Mr. Bower.

Mr. BOWER. Mr. Chairman, it gives me pleasure to present the following resolution, and in accordance with the suggestion of the gentleman from Westmoreland, that we have no more speeches I will just present it.

RESOLUTION

Mr. BOWER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

The work of the officers and clerks of this House during this session again demonstrates the wisdom of retaining in important positions those who by experience have so qualified themselves as to make their work of inestimable value to those for whom they perform laborious and skilled duties.

The work of the office of the Chief Clerk of this House has never been performed more carefully and thoroughly or with more courtesy than at this session, and the office of the Secretary of the House has been of more than usual value to the Members.

These officers and the clerks under them have given fully of their time and effort to the end that the business of the House should not be retarded or interrupted and the results accomplished in spite of the scarcity of skilled help and assistance have been of great assistance in bringing about an early adjournment; therefore be it

Resolved, That this House extends its thanks to the Chief Clerk of this House, the Honorable William E. Habbyshaw, and to William P. Roan, the Secretary of the House, and through them to the officers and clerks who have so diligently labored under and with them, for the part they have contributed toward shortening the days of the session and making easier the work of the Members of the House.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

The CHAIRMAN. The Chair recognizes the Chief Clerk of the House.

The CHIEF CLERK (William E. Habbyshaw.) Mr. Chairman and Members of the House, I would just like to say that the Chief Clerk's office will try its best to continue in the future as it has in the past to serve the Members on both sides of the House. Our office is always available to give you whatever help you desire. I thank you.

The CHAIRMAN. Mr. Habbyshaw, in behalf of all the Members of the House, I desire to present you with this little token of our esteem.

Mr. HABBYSHAW. Thanks to all the Members of the House.

The CHAIRMAN. The Chair at this time calls to the rostrum the Secretary of the House, William P. Roan.

On behalf of the Members of the House I give you this token of our appreciation.

The SECRETARY OF THE HOUSE (William P. Roan). Mr. Chairman, I thank you.

DIRECTOR LEGISLATIVE REFERENCE BUREAU CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Somerset, Mr. Hare.

Mr. HARE. Mr. Chairman, in deference to the request of the gentleman from Westmoreland, Mr. Lovett, who asks us to "Let's be fair" and not make any speeches, I would like to present a resolution extolling the virtures of a job that is sometimes overlooked as we meet in the closing days of the session.

We witnessed the Majority and the Minority Floor Leaders meet in the middle of the floor with clasped hands. The wordy battle is all finished. However I would call your attention to the Legislative Reference Bureau which has been the receiving center for all the crack-pot ideas of the two hundred eight Members of the House, ideas that range from the ridiculous to the sublime, for instance from the bill of the gentleman from Wyoming to bury everybody at public expense to the cantankerous Minority Leader who would give away all our money on the dole.

Mr. Speaker, it gives me pleasure to present this resolution.

RESOLUTION

Mr. HARE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

Thirty-six years ago the General Assembly passed, and the Governor approved, legislation that created the Legislative Reference Bureau and time has proven the wisdom of that action and the value of the Bureau, not only to the Members of the General Assembly, but to the administrative departments of the Commonwealth and to the public.

Intended primarily as a bill drafting agency, it has developed into a bureau of information upon matters far beyond the original intent of its founders.

The original organization as to number of officers and employes has not been increased during the years that have passed, even though the work of the Bureau has increased tremendously. The same number of employes perform many times the amount of work that was performed during the early years.

There were prepared for introduction in the House and Senate during this session more than twenty-three hundred bills and resolutions in addition to the preparation of approximately five hundred amendments, and conference reports.

When the session ends the Bureau keeps on working with no let up and no curtailment of working hours.

It is ready during every day to serve the Senators and Members of the House with the same promptness and thoroughness and dependability that mark its service during a session.

It is a part of the legislative branch of the State Government that the General Assembly values and appreciates, and one that would be missed by many of the administrative departments and the judicial branch of the State as well, if it no longer existed; therefore be it

Resolved, That the House of Representatives extends its thanks to the Director of the Bureau and those who toil with him for the work performed and the service rendered to the Members of this House during the session now ending, and in appreciation of that work and service, it directs the Chief Clerk of this House to transmit to the Director a copy of this resolution.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

The CHAIRMAN. The recognizes the Director of the Legislative Reference Bureau, Mr. Robert S. Frey.

DIRECTOR LEGISLATIVE REFERENCE BUREAU (Robert S. Frey). Mr. Chairman and Members of the House, it seems always to be somebody's pleasure to put something across on me. I thought we had a closed agreement that there was to be no resolution about the Bureau or about myself, and in return for that there was to be none about the Parliamentarian, but something has slipped some place. I noticed the Parliamentarian speaking to the Chairman, and believe that is the reason for my being here now.

I will have to admit that the resolution about the Bureau I drafted, but you will also noitce that there are no names mentioned. When I handed the papers to the girl in our office I told her to file it under "modesty."

I do not think there is anything I can say of interest regarding this session. I enjoy every session; I am always glad to meet the Members, and I hope that during the interim if we can be of any assistance we want you to call upon us at any time and we will try to help you as we have done during the session.

THE CHAPLAIN CONGRATULATED

The CHAIRMAN. The Chair recognizes the gentleman from Greene, Mr. Wright.

Mr. WRIGHT. Mr. Chairman, it is a privilege for me to present this resolution. It is non-political. You all know that there are many, many religions but there is only one Christianity. I am presenting this resolution in favor of the man who has served us faithfully and whom we believe in religiously; hoping that it will speak for itself.

RESOLUTION

Mr. WRIGHT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

As the war which has ravaged the earth for six years draws to a close and as the nations of the world meet to agree upon a form of international agreement to end all war, it becomes more clear that more than man's work is necessary to achieve that end.

The need of Divine aid in the perpetuation of peace is as necessary as is the close union of nations. Only the love of man for man can bring about the unity of purpose which must be obtained to prevent a re-occurrence of the mighty conflict which has disrupted civilization.

The founders of our Commonwealth provided well when they required that each session of this House should be opened with a prayer.

The selection of the Reverend Lester C. Updegrove was a happy one for he has brought to the Members of this House the help and inspiration that comes from prayer and has made mere apparent to them the need of Spiritual Guidance in doing the thing that is right and just; therefore be it

Resolved, That the Members of this House, appreciative of the services of the Chaplain, and the long hours that he spent in preparing his inspirational utterances extend to him our deepest and most sincere thanks and direct the Chief Clerk of the House to transmit to him a copy of this resolution.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

LEGISLATIVE CORRESPONDENTS CONGRATULATED

The CHAIRMAN. The chair recognizes the gentleman from Perry, Mr. Barton.

Mr. BARTON. Mr. Chairman, being a newspaper editor and publisher for more than twenty-five years, it gives me a great deal of pleasure to present the following resolution to this House.

RESOLUTION

Mr. BARTON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

The newsmen who were with us during this session have performd a wonderful job. They not only reported the news fairly, but as the active part of the Pennsylvania Legislative Correspondents' Association, they put on a celebration of their golden anniversary that was a delight to appetite and an inspiration to patriotism.

It was a pleasure to have them with us and more than ever we are grateful for their treatment of the work of the session; therefore be it

Resolved, By the Members of this House, that we extend to the gentlemen of the press, who have been with us

during this session, our most sincere thanks for their constant fairness and for their untainted reports of our proceedings, and we congratulate them upon maintaining the high principles which should ever be practiced and upheld by the men of their privileged profession; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Chief Clerk of the House to the President of the Pennsylvania Legislative Correspondents' Association.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

Mr. BARTON. Mr. Chairman, the resolution just read referred to newsmen in one paragraph and to gentlemen in another paragraph.

May I call the attention of the Members of this House to the fact that we also have a lady of the press, Miss Betty Heineman, representative of the United Press—who resides in Philadelphia, graduated from Temple University. I am sure the Members of this House will be glad to take a look at Miss Heineman. Will she please rise?

I am sure the Members of the House are also familiar with another young lady who represents the International News Service. She spent some time over in the Senate, but she advises that since it was so hard to find the Senate twenty-three hours out of the twenty-four, she spends most of the time in the House of Representatives. I would ask Miss Suzanne Flick, who represents the International News Service to rise.

RESOLUTION

MAILING OF FILES

The CHAIRMAN. The Chair recognizes the gentleman from York, Mr. Goodling.

Mr. GOODLING. Mr. Chairman, since we seem to have recognized all the brass hats, I now offer a resolution in behalf of the privates.

Mr. GOODLING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 3, 1945.

Resolved, That the Bureau of Publications, through the Department of Property and Supplies, be directed to mail files of bills and journals on the desks of Members desiring to secure the same, to places designated by them, all files being received by them through the office of the Chief Clerk.

RESOLUTION

RESOLUTION AND REMARKS CONGRATULATING SPEAKER TO BE PRINTED

The CHAIRMAN. The Chair recognizes the gentleman from Erie, Mr. Cook.

Mr. COOK. Mr. Chairman, I rise on behalf of the Members of the House who have not been permitted to take an active part in the exercises just concluded. I feel certain that every Member of this House would feel proud to have an opportunity to join in the fine words that have been spoken in behalf of the leadership of this House. Also the fine tribute that was paid to our Speaker.

In behalf of the Members of this House I wish to offer this resolution which will give the Members a nopportunity to refresh their memories at their own firesides from time to time as to the exercises that we have listened to this afternoon.

Mr. COOK offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 4, 1945.

Resolved, That the Chief Clerk of the House be directed to have printed the resolution of congratulation to the Speaker of the House, introduced by the gentleman from Lehigh, Mr. Lichtenwalter, on Friday May 4, 1945, together with the remarks of the Members of the House relating thereto; and be it further

Resolved. That a copy thereof be sent to each Member of the House.

CAFETERIA PERSONNEL CONGRATULATED

The CHAIRMAN. The next resolution pertains to a very effective and very important part of the institutions pertaining to the State Capitol.

The Chair recognizes the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Chairman, the gentleman from Cambria, Mr. Andrews, took occasion this morning to remark upon the smile that was on my face while he was on his feet making his opening remarks in reference to the Speaker.

Now, the gentleman did not know that the reason for the smile was because of the thought that was flitting through my mind, that amongst all the remarks of admiration for the Speaker there was one that could be best made and would be very short. It was in admiration for the magic trick that had been performed by the Speaker, not in turning wine into water or water into wine, but the magic trick that had been performed in turning the vinegar in the soul of the gentleman from Cambria, Mr. Andrews, into milk and honey that flowed from him this morning.

That smile was also on my face for another reason. It was on my face because I have in anticipation a most pleasant task. I can go back to the days when we fought for sandwiches and coffee at the counter out here in the hallway on this floor. I could go back to the days when we were moved to the dark and dingy basement. I can go back to the days when we had a cafeteria in the basement that caused many comments and much indigestion. And then I thought of the pleasant situation that has prevailed during this Legislature and the facilities that were given to us in the Capitol. But the facilities are inanimate, and they might be of the best—the food might be of the best but the very best thing that has been contributed to that institution in the Capitol is the fair lady who presides over it and maintains and guides its destinies, and so Mr. Chairman, I would like to present the following resolution.

RESOLUTION

Mr. TURNER offered a resolution and asked and obtrained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

There are three distinct and separate branches of the State Government—the Executive, Legislative and Judicial.

These branches are related and must at times function together in order that the business of the Commonwealth may be properly carried on, but there is only one place where they meet constantly and function together.

That place is in the basement of the Capitol Building, is known as the Capitol Cafeteria, and it is there that Governors and judges and lawmakers meet and eat together. It is a delightful place to see democracy functioning in a practical way, for there are no rules discriminating against any person on account of race, creed or color.

It was a happy idea to dispose of the former eating place in the basement and provide the quarters that now house the cafeteria, but the person who selected Mrs. Mary Bless to manage the new place, deserves the endless thanks of all those who are kept healthy and happy by eating what she provides for them.

It is so popular a place that one of the regular eaters, who is connected with the General Assembly, was heard to remark:

"When our stomachs are loaded, we're happy
When they're empty, we're fit to be tied.
To the "Bless"ed place we then have to hasten
To partake of her "pomme de terre" fried."

Mrs. Bless is manager, chief pie-baker, menu-builder, and late one evening she was seen rolling butter balls for the Speaker's party. She has and does everything.

The food is excellent, the room is inviting and comfortably furnished, the prices are reasonable, and the service could not be excelled.

The quality of the work of the House and Senate has picked up since Mrs. Bless opened this blessed place for hungry Legislators; therefore be it

Resolved, by the Members of this House, that it extends its thanks to the person responsible for the appointment of the competent and delightful manager and to her we extend our thanks for the food she serves and our congratulations upon her outstanding accomplishment in creating so popular a place for those employed in the Capitol, and through her we thank those who assist her in making and keeping the cafeteria the popular place it now is; and be it further

Resolved, That the Chief Clerk of the House is directed to forward a copy of this resolution to Mrs. Mary Bless, "Restaurant Manager Extraordinary," as evidence of our appreciation of her efforts and our admiration of her accomplishments.

Mr. TURNER. Mr. Chairman, may I present Mrs. Bless to the House.

And while I am doing that may I also present her with this little corsage that she may wear on these last days of our session. I would like to present them in the French custom, but I am afraid to do so.

Mrs. BLESS. Mr. Speaker, ladies and gentlemen of the House, this is indeed an honor and I am sure a day in my life that I will never forget. It is really with very deep appreciation that I speak to you, and we want you to know that working with you and serving you in the cafeteria has been a most interesting and happy experience for each and every one of us. I feel that the success of our cafeteria is due to the splendid cooperation and loyalty of each and every one of my staff of employees. We want you to know that not only during the sessions but at any time you are in Harrisburg you will be most welcome at the cafeteria.

I want to thank you on behalf of my employees for your many kindnesses and courtesies extended to us during this time. Thank you very much.

Mr. TURNER. Mr. Chairman, I have another little duty to perform. Some of the men who have lunched and dined at the cafeteria thought that we sort of failed to remember so many very faithful employees, and I would like to hand to Mrs. Bless for the purpose of presenting to those employees, this little gift from some of the men who lunch and dine in the cafeteria.

Mrs. BLESS. Thank you one and all.

CHAIRMAN JAMES. It is now my duty to turn over the rostrum to the Chairman of the Committee.

MR. STOCKHAM IN THE CHAIR

Mr. STOCKHAM. I want to thank the Members of the Committee who have made this fine program possible. I want to thank the Members of the House for their cooperation and participation. I want to thank Mr. James in particular for the part which he has so well performed in carrying out the program. And then, may I extend to every one of the officers of this House who have been the recipients of our good will, our very best wishes.

Shortly, as these ceremonies always take place in the closing hours of the session, we shall be going home. After all that has happened during the session, when we do return to our homes, let us remember to keep faith in our institutions and to keep faith with our God, as did William Penn and as did the founders of our country.

With this humble benediction I pronounce these exercises closed, and return the gavel to the Speaker.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from from Bucks, Mr. Stockham, for presiding.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 4, 1945.

Resolved, (if the Senate concur) That House Bill No. 295, Printer's No. 582, entitled: "An Act to repeal certain obsolete and supplied penal laws'" be recalled from the Governor for the purpose of amendment.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

Mr. SORG. Mr. Speaker, I offer the report of the Committee of Conference on Senate Bill No. 563.

The SPEAKER. The report will be received. This being a Senate Bill, the Conference report will be printed by the Senate.

RESOLUTIONS

RECALLING HOUSE BILL No. 884 FROM THE GOVERNOR

Mr. LICHTENWALTER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 4, 1945.

Resolved (if the Senate concur), that House Bill No. 884, Printer's No. 430, entitled "An act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

JOINT GOVERNMENT COMMISSION TO MAKE STUDY OF HOUSE EMPLOYES

Mr. BOWERS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 4, 1945.

Whereas, The personnel of the House of Representatives is provided for by act of assembly adopted in 1919 and a number of independent laws enacted since that time; and

Whereas, A complete revision of personnel, its duties and compensation are urgently needed; therefore be it

Resolved, That the House of Representatives hereby requests the Joint State Government Commission during the interim between the legislative sessions of 1945 and 1947 to make a thorough study of the needs of the House of Representatives and the most efficient and economical arrangement of positions, duties and compensation of the permanent and temporary employes of the House of Representatives, and reports its findings and recommendations to the House of Representatives on or before the first day of February, 1947.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 548

Mr. COHEN. Mr. Speaker, I submit the report of the Committee of Conference on House Bill No. 548.

The SPEAKER. The report will lie over for printing.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

Mr. ROOT. Mr. Speaker, I submit the report of the Committee of Conference on House Bill No. 660.

The SPEAKER. The report will lie over for printing under the Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 289

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 289, Printer's No. 198, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. RAY L. RILEY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lycoming, Mr. Riley, vote on the final passage of this bill?

Mr. RAY L. RILEY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on the final passage of this bill?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. RAY L. RILEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. RAY L. RILEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title, by inserting after the word "four" and before the word "the," the word: of.

Amend page 1, by striking out the last two lines of the title, and inserting in lieu thereof the following: (d) authorizing any school district to contract with public or private agencies for the use of its vocational school facilities in public schools.

Amend page 2, section 1, line 17, by striking out with bold face brackets, after the word "from" and before the word "funds," the word: [Commonwealth]

Amend page 2, section 1, line 18, b ystriking out with bold face brackets, after the word "the," the balance of the line, as follows: [full cost of the program]

Amend page 2, section 1, line 19, by striking out the entire line, and inserting in lieu thereof, the following: total tuition charges as defined in the school laws.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON SECOND READING

The SPEAKER. In order to facilitate printing, if there be no objection, the Chair will proceed with the bills on the second and third reading Calendars which are to be amended. The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendments:

Amend section 1, paragraph 18, page 3, line 9, by adding the following sentence after the word "services":

The accumulated deductions, left by former employes or contributors with the fund to their credit, whose state employment has heretofore been terminated, shall no longer bear interest after the effective date of this act.

Amend section 1, page 5, line 17, by striking out with bold face brackets after the word "discontinued" and before the word "or" the symbol: [ ]

Amend section 1, page 5, line 21, by striking out with bold face brackets after the word "capacity" the following: [ ] whereupon the disability annuitant's mem-]

Amend section 1, page 5, by striking out with bold face brackets lines 22 and 23.

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 638, entitled:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus of two million dollars And for reserves as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789).

The first, second and third sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. KLINE offered the following amendment:

Amend the title, page 2, sixth and seventh lines of title on said page, by striking out the words "of [one] two million [five hundred thousand] dollars".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KRISE offered the following amendments:

Amend page 5, section 4, line 25, by striking out with bold face brackets, before the word "or", the symbol: [ ]

Amend page 5, section 4, line 25, by striking out with bold face brackets, after the word "surveyor" and before the word "the", the symbol: [ ]

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TAHL offered the following amendments:

Amend Sec. 2 (Sec. 21.1), page 5, line 27, by striking out the words "at the discretion of the Board"

Amend Sec. 2 (Sec. 21.1), page 6, line 1, by inserting after the word "violator"

Provided, That before any such parolee shall be so recommitted the court which originally sentenced such parolee or a Court of Record of the county in which the alleged technical violation shall have occurred shall find such parolee guilty of substantially violating the terms and conditions of his parole other then by the commission of a new crime of which he is convicted or to which he pleads guilty in a Court of Record.

They were agreed to.

The section was agreed to as amended.

The third and fourth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. TAHL offered the following amendment:

Amend the title, page 2, last line of title, by inserting after the word "Parole" and conferring jurisdiction on criminal courts in certain cases.

It was agreed to.

The title was agreed to as amended.

The said bill having been read at length the second time and agreed to as amended.

Ordred, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction

The first section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendments:

Amend Section 1, page 2, line 14, by striking out the numerals "786" and inserting in lieu thereof the following: "876"

Amend Section 1, page 2, line 14, by striking out the letters "EE" and inserting in lieu thereof the following: "E".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendment:

Amend Section 2, page 3, by inserting after line 23 the following: "Jefferson County."

Two sections of the former Luthersburg and Punxsutawney Turnpike, presently identified on Department of Highways records as Route 847. The first section beginning on the north Big Run Borough line at Caroline Street; thence northeasterly in Henderson Township to Route 33051. The second section beginning at Route 538, about 1.20 miles southwest of Cramer; thence northeasterly in Henderson Township to Route 189 just south of Route 33052, in Jefferson County, a total distance of about 3.10 miles.

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendments:

Amend Section 4, page 6, line 20 by striking out the following: "politi-"

Amend Section 4, page 6, by striking out all of lines 21 and 22 and inserting in lieu thereof the following: "township, borough, incorporated town or city in which they are located".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the bill, page 2, by inserting between lines 23 and 24:

"Section 2. The provisions of this amendatory act shall not apply to any county highway or section thereof, nor to bridges or other structures forming an integral part thereof, as to which the county commissioners have adopted a resolution under the provisions of the act amended hereby, prior to the effective date of this amendatory act. The Department of Highways shall hereafter repair and maintain the same notwithstanding the enactment of the foregoing amendment.

Amend Sec. 2, page 2, line 24, by striking out the figure "2" and inserting in lieu thereof: "3".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 725, entitled:

An Act to amend clause (f) of subsection (1) of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify a. to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and processs of the board; prescribing certain penalties," by further defining and limiting unfair labor practices.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend Sec. 1, (Sec. 6), page 4, lines 9, 10 and 11, by striking out the words "Said authorization shall remain in full force and effect until revoked by a subsequent election".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters

The first section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend section 1, Subsection 1.1, page 2, line 14, by inserting after the word "width" the following: "These restrictions do not apply to any motor boats or other watercraft engaged in commercial navigation".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia, Commonwealth of Pennsylvaina, to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by the United Nations and ceding jurisdiction to the United States.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend section 1, page 2, line 5, by striking out after the word "by" and before the word "United" the following: "[the]," and inserting in lieu thereof the following: "The."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend section 2, page 2, line 17, by striking out after the word "by" and before the word "United" the following: "[the]," and inserting in lieu thereof the following: "The."

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend section 4, page 3, lines 7 to 14, inclusive, by striking out the whole thereof.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend section 5, page 3, lines 15, by striking out after the word "Section" and before the word "This" the following: "[5]," and inserting in lieu thereof the following: "4."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. LICHTENWALTER offered the following amendment:

Amend the title, page 1, line 7, by striking out after the word "by" and before the word "United" the following: "[the]," and inserting in lieu thereof the following: "The."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

The first section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendments.

Amend Section 1 (Section 1), page 5, line 15, by inserting after the word "Commonwealth" the following: "upon compliance with the provisions set forth in sub-section (b) of section 2 of this act."

Amend Section 1 (Section 2), page 9, line 18, by inserting after the word "That" the following: "the transfer of title and."

Amend Section 1 (Section 8.1), page 16, lines 27 and 28, by striking out the words "If the county" in line 27 and all of line 28, and inserting in lieu thereof the following: "in accordance with the provisions set forth in sub-section (b) of section 2 of this act."

Amend Section 1 (Section 8.1), page 17, lines 1 to 6, inclusive, by striking out all of lines 1 to 5, inclusive, and the word "use" in line 6.

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RESOLUTION

ADJOURNMENT SINE DIE

Mr. LICHTENWALTER offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 4, 1945.

Resolved, (If the Senate concurs), that this 136th Regular Session of the General Assembly adjourn sine die, Saturday May 5, 1945 at 11:00 o'clock P. M.

Committee on Rules,

Franklin H. Lichtenwalter,
Lloyd H. Wood,
Wilson L. Yeakel,
Herbert P. Sorg,
D. Raymond Sollenberger.

The SPEAKER. The resolution is referred to the Committee on Rules.

HOUSE RESOLUTION No. 60

Mr. ROYER. Mr. Speaker, I call up House Resolution No. 60, Printer's No. 743, on page 40 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 25, 1945.

In a glass case in a room in the Museum Building there are now displayed the regimental flags of several Confederate Regiments

They represent the valor of the Pennsylvania organizations which were responsible for their capture but the years have paled the flags and although the valor and bravery of those who captured them has not dimmed the reason for the retention of those flags as evidence of that valor and bravery is no more

As we will always remember the outstanding courage and the unselfish devotion of the men of the North so will be ever recall and acknowledge the bravery of those of the South who sacrificed all they held dear for the cause in which they believed

With the differences that then existed expunged by the blood of those who struggled so valiantly the Nation exists today united and undivided and the flags that now are displayed in our Museum are as much a part of the records and archives of the States whose men at arms carried them into battle as they are of Pennsylvania whose soldiers carried them out of battle

They were the flags of the South and as evidence of our respect for and admiration of those Americans who so proudly fought under them it is most fitting that they should now be returned to the State for which those brave men sacrificed so much therefore be it

Resolved (if the Senate concurs) by the General Assembly of the Commonwealth of Pennsylvania that His Excellency the Governor of the Commonwealth is hereby requested and authorized to have the flags of the several Confederate Regiments that are now on display in the Museum Building removed therefrom and that after the said flags have been repaired and made safe for transport that His Excellency the Governor shall at a time and place and in such manner as he deems proper return the said flags into the custody of the States whose regiments carried them in order that they may there be preserved as members of those regiments and as evidence of the friendship and esteem of this Commonwealth and its people and be it further

Resolved That a copy of this resolution shall be trans-

mitted to His Excellency The Governor by the Chief Clerk of the House of Representatives

On the question,

Will the House adopt the resolution?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments:

Amend the third paragraph of the preamble, page 1, by striking out all of the lines in said paragraph.

Amend the fourth paragraph of the preamble, page 1, by striking out the words "With the difference that then existed expunged by the blood of those who struggled so valiantly the," and inserting in lieu thereof: "The."

Amend the fourth paragraph of the preamble, page 2, last line of said paragraph, by inserting after the word "battle": "It is, therefore, fitting that they should now be returned to the States from which they came; therefore be it."

Amend the last paragraph of the preamble, page 2, by striking out all of the lines of said paragraph.

Amend the first resolution, page 2, lines 12, 13 and 14, by striking out the words "and as evidence of the friendship and esteem of this Commonwealth and its people."

On the question,

Will the House agree to the amendments?

They were agreed to.

The resolution lies over for printing under the Rules.

HOUSE RESOLUTION No. 53

Mr. TURNER. Mr. Speaker I call up House Resolution No. 53, Printer's No. 742, on page 40 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 12, 1945.

Resolved By the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania That the Legislative Reference Bureau be directed to prepare a subject code of existing laws relating to liquors and malt or brewed beverages and submit the same in printed or mimeographed form with appropriate annotations to the General Assembly for its consideration at the 1947 general session

On the question,

Will the House adopt the resolution?

It was adopted.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 295

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 295, Printer's No. 582, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. PROPERT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on the final passage of this bill?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Propert, vote on the final passage of this bill?

Mr. PROPERT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, section 1, by striking out lines 27 and 28 inclusive.

Amend page 3, section 1, by striking out lines 1 and 2 inclusive.

Amend page 5, section 1, by striking out lines 22 to 26 inclusive.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I rise to inquire of the gentleman from Montgomery what the significance of the amendments he proposes is.

The SPEAKER. The Chair would ask the gentleman whether he objects to the immediate consideration of the amendments so that we can bring the question before the House?

Mr. ANDREWS. Mr. Speaker, how would I know whether to object unless I knew what the amendments were?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, some of the Members may not recall this measure, but it was introduced by me on the twenty-ninth of January, and was designed to repeal certain obsolete laws which are on the statute books of this State that were never specifically repealed.

At the time the Penal Act was passed in the session in 1939 a repealer should have been in that Code to take care of this particular Act. However, when the bill was over in the Senate an additional repealer was inserted which had nothing to do with the purpose of this measure, and as a result some of the Members on this side of the House have received communications objecting to that particular amendment.

The one to which I refer is the Act of 1855 which prevents the sale of intoxicating liquor on Sundays in hotels. Now, in addition to that there was a repealer in the original bill which passed this House, I believe, with but one dissenting vote, and passed the Senate, dealing with

horse racing, and I have had occasion to study both of these repealers. I honestly believe that the present liquor law does in effect by implication repeal its Sunday Sales Bill. Also that the Penal Code repeals by implication the horse racing bill of 1820, but in deference to the people who voted for this bill in good faith, despite the fact that it can be determined that they are repealed by implication, it was thought advisable to delete these two repealers on this measure and allow it to go to the Governor for signature in that condition.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. COHEN. Mr. Speaker, the present status of the bill, if I understand it, is that we have reconsidered the vote by which it was passed on third reading and we are now ready to offer amendments?

The SPEAKER. That is correct.

Mr. COHEN. Am I to understand that a vote on the amendments will carry both these amendments, that is, a vote aye would be to sustain both amendments?

The SPEAKER. The procedure at the present time is, will the House give its unanimous consent to consider the amendments?

Mr. COHEN. There is no objection on this side of the House to considering the amendments.

The SPEAKER. Will the House give its unanimous consent to consider the amendments? The Chair hears no objection.

On the question,

Will the House agree to the amendments?

Mr. COHEN. Mr. Speaker, both amendments?

The SPEAKER. The vote will be on all amendments.

Mr. COHEN. Mr. Speaker, would it be possible to divide the question so that we might vote on the liquor repealer separately from the horse racing repealer?

The SPEAKER. The Chair is unable to inform the gentleman whether the question can be divided.

The Chair would suggest that the sponsor and the gentleman from Philadelphia confer and try to reach some agreement.

The SPEAKER. It has been agreed that the question on the amendments be divided.

On the question,

Will the House agree to the amendments to Section 1, pages 2 and 3?

They were agreed to.

On the question,

Will the House agree to the amendment to Section 1 page 5.

Mr. COHEN. Mr. Speaker, House Bill 295 as originally passed by the House contained a list of obsolete laws which were repealed. In the bill sent over to the Senate the Senate inserted an amendment repealing another obsolete law, and when the bill came back to the House the House concurred in the amendment inserted by the Senate. This particular amendment in my opinion should remain in the bill, that is, in the bill as we originally passed it, and the amendment which now seeks to strike out the repealer should be defeated.

I say that for the reason that the Act of 1855, if I am not mistaken, in my opinion places an unreasonable burden on hotel keepers and inn keepers in Pennsylvania. That Act makes it a crime for a hotel keeper who may have knowledge that persons in the hotel may be drinking liquor on Sunday. I submit that in a twenty-five story hotel with possibly a thousand rooms and possibly a thousand guests,—I am thinking of Pittsburgh and Philadelphia,—a guest looks respectable and acts respectable, and has every appearance of sobriety and respectability when he enters the hotel yet he may fool everybody by having tucked away in his baggage a bottle of whiskey. When he gets up in his room on a Sunday, this supposedly sober honest guest of the hotel may, after he gets to his room and peruses the Pittsburgh Press or the Gazette if he is in Pittsburgh, or the Inquirer or Record in Philadelphia, decides to take a little nip, and decides he wants a bottle of Coca Cola. He orders a bottle of Coca Cola brought to his room, and when it is emptied into his glass and he may put some rum into it. The Act which we want to repeal would make it a crime on the part of the hotel keeper if he sent this Coca Cola or Pepsi Cola or 7-Up, or whatever else they have to drink to the hotel room; and it would be a crime just because some dishonest person might want to take a nip on Sunday. So I think, Mr. Speaker, we ought to defeat this amendment and take this really bad restriction off the shoulders of the God-fearing and honest hotel keepers and inn keepers of Pennsylvania.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I am in rather a peculiar position on this amendment. In the first place there was no intention when this particular bill was sent to the Senate to have this particular law repealed. That was inserted in the Senate without my information or knowledge. When it came to the House I was informed that an examination of the Pennsylvania Liquor Laws revealed that this act was by implication repealed. I am trying to show good faith by having this amendment taken out because of objections which have arisen since in the Senate and the House.

I am sure that the gentleman from Philadelphia, Mr. Cohen, does not know the situation in hotels on Sundays, and I am no better qualified than he, so let that subject rest. However, I know of no prosecution under this act, and I think the gentleman is overstating the importance of the question. I ask in the interest of saving the time of the House that a rising vote be taken and I ask this House to support the amendment which would take this specific repealer out of the bill.

On the question recurring,

Will the House agree to the amendment to Section 1, page 5?

On a rising vote seventy-three Members having voted in the affirmative and eighty-one in the negative the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGES

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 519.

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 279.

An Act to amend section one of the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts p. 15), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto," increasing the amount of such appropriation and extending the time thereof.

HOUSE BILL No. 1258.

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for the guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

With the information that the Senate has the same without amendment.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 716, entitled:

An Act to amend section eight of the act approved the twenty-first day of June, one thousand nine hundred and thirty-seven (P. L. 1969), entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification, providing for the organization consolidation and dissolution of such corporations; prescribing the qualification for membership therein; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act; conferring powers, and imposing duties on certain State departments, commissions and officers; fixing fees; conferring the right of eminent domain; prohibiting the use of certain terms in the corporate names of other corporations; exempting such corporations from excise taxes; imposing on them a license fee; and exempting such croporations from the jurisdiction of the Pennsylvania Public Utility Commission, and from the provisions of the Securities Act", by providing that before a certificate of incorporation shall issue to an electric cooperative corporation the Pennsylvania Public Utility Commission shall find and determine certain facts and approve the articles of incorporation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 612, entitled:

An Act to repeal the act approved the first day of December one thousand nine hundred thirty-eight (P. L. 109) entitled "A supplement to the act approved the eighteenth day of March one thousand eight hundred and seventy-five (P. L. 30) entitled 'An act to authorize changes or venue in criminal cases' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor"

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 8, entitled:

An Act to authorize the Department of Commerce under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 183, Printer's No. 578,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 560, entitled:

An Act to amend sections three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel

Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties"; by making further provisions for designation and selection of representatives for purposes of collective bargaining.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

An Act to reenact and amend the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 141) entitled "An act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties" extending the effective period thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlements thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined

widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" establishing an additional route in the city of Altoona

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," increasing the pension of a blind person

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 344, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 490, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a free bridge over the Susquehanna River from a point in the city of Harrisburg in the vicinity of Third and Forster Streets to a point in the Borough of Wormleysburg at the intersection of State Highway Routes 30 and 708 and to provide the necessary approaches thereto and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 599, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 600, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign nonprofit corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and not the local health authorities and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 702, entitled:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name, style, or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring non-resident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring couty commissioners, at the expense of the county, to provide books or other means of reproduction for the entry of such applications; requiring the cancellation of such application on the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 749, entitled:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention diagnosis care and treatment of rheumatic fever and rheumatic heart disease

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 752, entitled:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by empowering institution districts to receive and maintain chronic mental patients confined in State mental hospitals or other institutions and providing for the reimbursement by the Department of Welfare for the cost of maintaining such persons

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen six hundred nineteen and six hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by making provisions for the erection construction maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 765, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny, and to construct, alter, improve and equip such property for use of the Commonwealth, providing for the maintenance thereof, and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 769, entitled:

An Act to amend sections three, four and five, and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the sixth day of May, one thosand nine hundred forty-two (P. L. 101) entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service," by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service; and removing the requirement for a physical examination in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 770, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 784 entitled:

An Act to further amend Section 320 of an Act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365)

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 771 entitled:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged, and in certain cases for the widows and wives of such persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 776 entitled:

An Act to further amend section five of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

COMMITTEE REPORTS

Mr. LLOYD H. WOOD from the Committee on Rules reported as amended House Resolution No. 62.

Mr. LLOYD H. WOOD from the Committee on Rules reported as committed House Resolution No. 63.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

SENATE CONCURRENT RESOLUTION SERIAL No. 126

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was read as follows:

In the Senate, April 11, 1945.

There are many persons within the Commonwealth who, although skilled in the driving of automobiles, are denied the right so to do on account of physical disabilities which make the procurement of liability and property damage insurance impossible.

The return of fighting men from the battle fronts of the world will greatly increase this number, and the inability of many of those who deserve every possible privilege and opportunity of enjoyment, to secure such insurance, will prevent their full use of automobiles.

It is not possible nor would it be advisable to compel insurance companies to accept such risks which in their experience are hazardous.

Many companies in Pennsylvania writing liability and property damage insurance have lately developed the "Pennsylvania Automobile Assigned Risks Plan" for the voluntary handling of liability and property damage insurance on persons who have come under the provisions of the Financial Responsibility Law.

The formation of a similar plan for the voluntary handling of liability and property damage insurance on persons physically handicapped, might be the means of affording such persons the coverage necessary to allow them to enjoy the privilege of driving an automobile, either for pleasure or in the carrying on of a business; therefore be it

Resolved, (if the House of Representatives concur), By the General Assembly of the Commonwealth of Pennsylvania that the Insurance Commissioner of the Commonwealth and the Secretary of Revenue of the Commonwealth are requested to meet and consult with representatives of the various casualty companies doing business within the Commonwealth, in an attempt to arrive at and formulate a plan for the organization of a Pennsylvania Assigned Risks Plan for the insuring of physically handicapped persons; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Secretary of the Senate to the Insurance Commissioner and to the Secretary of Revenue.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE CONCURRENT RESOLUTION SERIAL No. 129

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 25, 1945.

Resolved (if the House concur), That it shall be the duty of the Joint State Government Commission (hereinafter called the Commission), in consultation with organizations of recognized national standing, to cause to be made a thorough and impartial study in order to determine the relative responsibilities and burdens which should, in equity, be placed on the Commonwealth and on political subdivisions in respect to financing the cost of the construction, reconstruction and maintenance of the highways of the Commonwealth, including all state and local highways, the amount of state-aid for highway purposes which should be granted by the Commonwealth to political subdivisions for highway purposes, and generally to develop a sound and scientific financial highway program for the Commonwealth and her political subdivisions; and for such purposes the Commission shall have power and its duty shall be to engage the services of not less than three individuals of recognized standing in the fields of highway economics and highway engineering, together with such assistants and clerks as may be deemed necessary by the Commission.

All departments of the State government and all political subdivisions shall assist the Commission in every possible way by making available and furnishing such data, records, information and advice relative to the study provided for by this resolution as may be deemed necessary by the Commission. For these purposes the Commission shall have the power to compel the appearances of witnesses and the production of books, papers and records, and to issue proper subpoenas for the attendance of witnesses on the production of books, papers, records and any and all other writings deemed necessary for the fulfillment of the duties prescribed in this resolution.

The Commission shall constitute and provide for the appointment of advisory committees, consisting of administrative officials of the State and local governments and of the representatives of organized groups having direct interest in and affected by the development of streets and

highways, to aid in the study of the problems presented by this resolution.

The Commission shall make a full and complete report of its findings and recommendations to The General Assembly not later than March 1, 1947, together with such drafts of legislation as may be necessary to carry such recommendation into effect.

The costs and expenses of said study and report thereon shall be paid for out of special allocation of fifty thousand dollars ($50,000) to the Commission from the Motor License Fund.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 531, 768.

Amended House Bills returned for concurrence 119, 171.

Amended Senate Bills concurred in by Senate 459, 465, 732.

Senate Bills to be signed 621, 644.

RECESS

The SPEAKER. If there is no objection the Chair will now declare a recess until 9 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 501, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" as last amended by section two of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2811) is hereby further amended to read as follows

Section 6 From and after January 1 1930 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards are citizens of the United States and shall have served an apprenticeship as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers or upon application proof of experience equivalent thereto

Any person engaged in the real estate business for a period of two years or more prior to January 1 1930 may be admitted to an examination for a real estate broker's license provided that he or she shall meet all of the prerequisites of applicants for such licenses except that he or she shall not be required to have served in the employ of a duly licensed real estate broker or brokers as a duly licensed real estate salesman for a period of two years Provided however that any person partnership or unincorporated association who or which has been licensed as a private bank by the Department of Banking of the Commonwealth of Pennsylvania for a period of thirty (30) years or more prior to the first day of January one thousand nine hundred forty-five shall if application therefor is made within ninety (90) days of the effective date of this act be entitled to apply for and to receive a real estate broker's license without examination

Section 2 Clause (c) of section seven of said act as last amended by section three of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2811) is hereby further amended to read as follows

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the department shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire December thirty-first of the year issued unless sooner revoked or suspended by the department or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the department and prepared by the department Provided however That any person who has been licensed as a real estate salesman or real estate broker for a period of six (6) months next preceding the effective date of this act and is thus engaged in this Commonwealth at the time this act goes into effect may secure the certificate of registration as a broker or a salesman without an examination provided such person shall make application to the department for registration within ninety (90) days after the effective date of this act The department shall hold examinations on the second Saturdays in January

April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the department shall prescribe Provided That the commission may make a special dispensation or exception because of religious scruples of applicants as to the day of the week upon which the examination shall be held The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to the common school branches Provided however That in event the license of any real estate broker or salesman shall be cancelled by the department subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the department may waive these requirements in the case of an application from a nonresident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

An individual may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination but not more than two successive temporary permits shall be issued to any individual Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of [two full years] six months from the time such individual took the last examination

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 37, as follows:

An Act fixing the fees of the recorder of deeds in counties of the fifth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees of the recorder of deeds in counties of the fifth class shall be as follows

For recording and exemplifying deeds mortgages and other writing for every five words one cent The minimum rate for recording same shall be two dollars and fifty cents

For indexing deeds mortgages and other writings with more than four names fifteen cents extra for each additional name

For abstracting first description or parcel of land twenty cents for each additional description or parcel fifteen cents extra

For entering satisfaction fifty cents

For taking acknowledgments fifty cents for first name and twenty-five cents for each additional name

For certifying deeds mortgages assignments and satisfaction of record to county commissioners fifty cents

Section 2 All fees shall be exclusive of any State tax now provided for by law and said fees and State tax shall be payable in advance

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,

Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 413, as follows:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrtative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" is hereby amended to read as follows

Section 1 Notwithstanding the provisions of any other law for the duration of the present War in which the United States is engaged and for one year after the cessation of hostilities any departmental administrative board within the Department of Public Instruction authorized to administer examinations for licensure or registration to practice a profession except the professions of medicine dentistry osteopathy [pharmacy] and optometry may admit to examination and authorize the issuance of a license or registration to an applicant who is less than twenty-one years of age but not less than twenty years of age and who is a citizen of the United States

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 468, as follows:

An Act authorizing the alteration improvement and construction of buildings equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Department of Forests and waters is hereby authorized to purchase and lease lands and buildings to construct new buildings alter improve or replace existing buildings construct sewage treatment plants reservoirs water supply systems electrical and other facilities and to alter improve or replace existing sewage treatment plants reservoirs water supply systems electrical and other facilities and to purchase and install all necessary equipment for the Pennsylvania Maritime Academy as shall be approved by the Governor and the Navigation Commission for the Delaware River

Section 2 The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters to carry out the provisions of this act to be expended under the direction and upon the request of the Navigation Commission for the Delaware River with the approval of the Governor and the Department of Forests and Waters

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 31, as follows:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land and for the construction of a Governor's Mansion

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of two hundred fifty thousand dollars ($250,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition by purchase or condemnation of land and for the construction of a Governor's Mansion

Section 2 Within the meaning of this act the word "construction" shall include the construction of new buildings altering improving adding to or replacing existing buildings the purchase or construction of electrical and other facilities altering improving adding to or replacing existing electrical and other facilities for the purchase and installation of all necessary equipment and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,

Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—1

Worley,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 649, as folows:

An Act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All fines penalties and forfeitures collected by magistrates aldermen and justices of the peace in summary proceedings under the provisions of any general local or special law unless disposition thereof is therein otherwise specifically provided for or unless disposition thereof is provided for by general law shall be paid quarterly into the county treasury for the use of the county

If under existing law the Commonwealth is entitled to any such fines penalties or forfeitures the same shall be paid monthly into the State Treasury through the Department of Revenue If under existing law any political subdivision other than a county is entitled to any such fines penalties or forfeitures the same shall be paid quarterly into the treasury of the county in which such political subdivision is located and shall within thirty (30) days thereafter be paid by the county treasurers to the treasurer of such political subdivision

All the aforesaid payments shall be accompanied by an affidavit of the magistrate alderman or justice of the peace giving the names addresses offenses charged amounts collected and the dates of the offenses

If the magistrates aldermen or justices of the peace fail or neglect to comply with the above requirements and provisions a penalty of six per cent interest is hereby imposed on the amount of money in the possession of said magistrates aldermen or justices of the peace until such time as payment is made

Section 2 All acts general local or special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reynolds,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 65, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-five for the support and promotion of medical education

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Coulson,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-five for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Turbett,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,

Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 61, as follows:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million five hundred thirteen thousand seventy-nine dollars and fifty-five cents ($10,513,079.55) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and forty-five. The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
July 1, 1945 ..	$ 683,972.69	$ 417,500.00	$ 1,101,472.69
Aug. 2, 1945 ..	214,736.61	292,200.00	506,936.61
Sept. 1, 1945 ..	660,138.29	160,000.00	820,138.29
Oct. 1, 1945 ..	313,818.29	80,000.00	393,818.29
Dec. 1, 1945 .	384,958.90	120,000.00	504,958.90
Jan. 3, 1946 ..	20,440.00	417,500.00	437,940.00
Feb. 1, 1946 .	.....	292,200.00	292,200.00
Mar. 1, 1946 ..	10,150.00	160,000.00	170,150.00
Apr. 1, 1946 ..	687,591.66	80,000.00	767,591.66
June 1, 1946 .	168,000.00	120,000.00	288,000.00
July 1, 1946 .	683,972.69	417,500.00	1,101,472.69
Aug. 1, 1946 .	214,736.61	292,200.00	506,936.61
Sept. 1, 1946 .	660,138.29	160,000.00	820,138.29
Oct. 2, 1946 ..	313,818.29	80,000.00	393,818.29
Dec. 1, 1946 .	384,958.90	120,000.00	504,958.90
Jan. 2, 1947 .	20,440.00	417,500.00	437,940.00
Feb. 1, 1947 .	.....	292,200.00	292,200.00
Mar. 1, 1947 .	10,150.00	120,000.00	130,150.00
Apr. 2, 1947 ..	687,591.66	80,000.00	767,591.66
June 1, 1947 .	168,000.00	103,666.67	294,666.67
Total	$6,287,612.88	$4,225,466.67	$10,513,079.55

Section 2. The sum of one thousand dollars ($1,000) or as much thereof as may be necessary is hereby appriated to the Board of Finance and Revenue from the Motor License Fund to pay the cost of printing or engraving denominations of bonds required by the Loan and Transfer Agent in making exchanges for bond holders

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 373, as follows:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein

regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering and the registration of barber shops barbers teachers of barbering students and apprentices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four and five of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) are hereby further amended to read as follows

Section 3 Any person not holding a certificate of registration under the provisions of the preceding section and desiring to obtain a license under this act shall make application under oath or affirmation in such form as the department shall prescribe Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined that a test of his or her blood was made and that he or she is free from all contagious and infectious disease is a citizen of the United States or has filed a declaration of intention The applicant at the time of filing such application and affidavit shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the department and shall present himself or herself at the next examination of applicants as hereinafter provided The department shall thereupon proceed to examine such person after being satisfied that he or she is above the age of sixteen years free from contagious and infectious disease has a certificate showing graduation from an eighth grade school or its equivalent and has either (a) studied the occupation for a period of two years covering a period of at least 2500 hours as a registered apprentice under a qualified and practicing barber as hereinafter provided or (b) studied the occupation and trained as a registered student in a registered and properly appointed and conducted barber school under the instruction of a registered teacher for a period of at least six months and served at least eighteen months covering a period of at least 1500 hours as an apprentice with a registered barber Under no circumstances shall a student or apprentice receive wages directly or indirectly for service rendered If the department is satisfied as a result of the examination the applicant is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the fact and skin to avoid the aggravation and spreading thereof in the practice of said occupation and the knowledge of the Barber's Licensing Laws and rules and regulations of the department adopted thereunder it shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation or to teach in registered barber schools as the case may be Any person holding a certificte as a teacher may practice as a barber in any registered barber shop

Any person who has been honorably discharged from service with the armed forces of the United States and who takes an examination for licensure under the provisions of this act shall have ten per centum added to his or her examination score

Any person registered as an apprentice barber prior to induction into the armed forces of the United States may be admitted to an examination for licensure under the provisions of this act upon presentation of his or her certificate of honorable discharge from such service within one year from date thereof

For any person to be registered as a teacher in a barber school he must be at least twenty-three years of age a graduate from an approved high school or its equivalent and have had either (a) at least five years' experience as a registered barber in a registered barber shop in the State of Pennsylvania or (b) training in a registered barber school of at least fifteen hundred hours in not less than ten months and in addition thereto two years' experience as a registered barber in the State of Pennsylvania or in lieu of [subsections (a) and (b) hereof] the aforesaid requirements he must have had fifteen years experience as a barber five years of which experience shall have been as a registered barber in a registered barber shop in this State The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering including ability to teach properly the various practices and theories of barbering physiology hygiene elementary chemistry relating to sterilization and antiseptics massaging and manipulating the muscles of the face neck scalp hair cutting bobbing shaving and trimming the beard dyeing the hair and the Barber Laws of this State and the rules and regulations adopted by the department and advisory committee The registration fee for teachers shall be five dollars and the annual renewal fee shall be five dollars

Section 4 (a) Any person who is at least eighteen years of age and of good moral character and temperate habits and has a certificate showing graduation from an eighth grade school or an equivalent education as determined by an examination conducted by the department and either (1) Has a license or certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by this act or (2) can prove by sworn affidavits that he has practiced as a barber [in another state or country] for at least five years prior to making application in this State shall upon the payment of the required fee be granted permission to take an examination to determine his fitness to receive a certificate of registration to practice barbering Should he fail to pass the examination upon payment of the required fee he may take one other examination if he so desires In no event shall he or she be permitted to practice barbering until he or she has received a certificate of registration as a registered barber

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered teacher authorized to teach such occupation in this Commonwealth Provided That such apprentice or student shall apply to the department to have his or her name registered with the department in a book which shall be kept by the department and secure a permit upon the payment of a fee of one dollar to practice as an apprentice under a duly registered barber or as a student under a duly registered teacher such permit to be displayed in front of his or her working chair Students upon graduation from a registered barber school and having served eighteen months' apprenticeship in a barber shop and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore specified shall make application for examination at the next regular period specified in this act In case the applicant fails to pass such examination he or she shall secure a new apprentice permit upon the payment of a fee of one dollar which shall be valid until the next succeeding examination

Apprentice permits not exceeding two to practice as an apprentice barber may be issued at the discretion of the department

Section 2 Section six of said act is amended to read as follows

Section 6 The department shall hold public examinations on the [first Tuesdays] second Mondays in March June September and December in the city of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such hours as the board shall prescribe

Section 3 Section seven of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P L. 1689) is hereby further amended to read as follows

Section 7 The department shall furnish to each person to whom a certificate of registration is issued a certificate stating that the holder thereof is entitled to practice the occupation of barbering or to teach in registered schools of barbering as the case may be The holder of such certificate shall display the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve

Section 4 Section eight of said act as last amended by the act approved the ninth day of May one thousand nine hundred thirty-five (P. L. 158) is hereby further amended to read as follows

Section 8 The certificate shall be renewed on or before the first day of [January] April in each year and the holders of said certificates of registration shall pay to the department the sum of two dollars or such other sum as may be fixed by the department for a renewal card Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate on or before the first day of [January] April in each year and who continues the practice of barbering or any of its branches shall on conviction thereof before any magistrate alderman or justice of the peace be subject to a fine of not more than ten dollars to be collected by summary conviction as like fines are collected by law or in case of nonpayment of the fine to undergo an imprisonment for a period not exceeding ten days Any such person shall have the right of appeal as in other cases of summary conviction

Section 5 Sections nine and ten of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) are hereby further amended to read as follows

Section 9 The department may suspend or revoke any permit or certificate of registration granted by it under this act to any person who (a) habitually indulges in the use of ardent spirits narcotics or other stimulants to such an extent as in the opinion of the department incapacitates such person from the duties of a barber (b) has or imparts any contagious or infectious disease to any recipient of such person's services as a barber (c) performs work in any unsanitary or filthy manner or place of business (d) who is grossly incompetent (e) who conducts his business of barbering on Sundays (f) who displays any price list for barber services in or upon any part of premises of a barber shop in such manner that such list shall be visible from the outside of the barber shop [section] (g) unethical or dishonest practice or conduct (h) employing an unlicensed person Before any such permit or certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose permit or certificate of registration has been so suspended or revoked may [after the expiration of ninety days] on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased except where such certificate was suspended or revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 10 The department may adopt reasonable rules and regulations prescribing the sanitary requirement of each barber shop or barber school in cooperation with the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and may transmit a copy thereof to the proprietor or person operating such barber shop or school which shall at all times be kept conspicuously displayed in such shop or school It shall be unlawful for any person to open either a new barber shop or move his shop to another place or take over as owner an existing barber shop until he or she has filed an application with the department for the inspection and approval of such shop It is further provided that no barber shop may open for business until said inspection has been had and the shop approved It shall be unlawful for any person to sleep in or for any owner or manager to permit any person to sleep in or use for residential purposes any room used as a barber shop or a school of barbering All rooms used for such purposes shall be used for barbering purposes [exclusively] manicuring shoe shining and such allied business as may be approved by the department Any officer or duly authorized agent of the department may enter and make reasonable examination of any barber shop or barber school during the business hours for the purpose of ascertaining the sanitary conditions thereof and ascertaining whether the shop or school and all persons working therein are properly licensed and registered Any barber shop barber school or tools appliances and furnishings in use therein kept in an unclean and unsanitary condition as to be a danger to health or to the creation and spreading of infectious and contagious diseases is hereby declared to be a public nuisance and the department may suspend or revoke the certificate of the proprietor thereof or any person operating in such barber shop or school or the permit hereinafter required for such shop or school or both the certificate and permit

Section 6 Section eleven of said act is hereby amended to read as follows

Section 11 The department shall keep a register in which shall be entered the names and addresses of the barber shops to which and the names of all persons to whom certificates of registration or permits for serving apprenticeship or as students are issued under this act which register shall be open to public inspection during the business hours of the department

Section 7 Sections twelve and thirteen of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) are hereby further amended to read as follows

Section 12 In no barber shop shall there be more than one apprentice who must be at all times under the supervision of a barber authorized under this act to practice such occupation All barber schools shall keep prominently displayed at every entrance to said school a sign reading "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber shop or barber school shall first secure from the department a permit or registration certificate to do so and shall keep the same prominently displayed The fee for registration of each barber shop shall be two dollars for each permit and the annual renewal fee shall be one dollar and the fee for registration of each barber school shall be fifty dollars and the annual renewal fee therefor shall be twenty-five dollars The department may pass upon the qualifications appointments and course of study in said school which shall be not less than six months All barber schools shall have not less than one registered teacher for every twenty students and in no case less than one full-time teacher who shall be in attendance at all times during the hours the school is open for instruction

No school of barbering shall be granted a certificate of registration unless it requires as a prerequisite to ad-

mission thereto graduation from an eighth grade school or its equivalent as determined by an examination conducted by the department and it shall attach to its staff as a part-time teacher a person licensed by the Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours which shall not be less than seven nor more than eight hours per day the school is open for instruction shall establish grades and hold examination before issuance of diplomas and shall be required to maintain a course of study requiring not less than one thousand hours for completion in not less than six months and shall comprise all of the subjects pertaining to barbering the barber laws of this State and the rules and regulations adopted by the department and shall include practical demonstrations and theoretical studies and studies in sanitation sterilization and the use of antiseptics cosmetics and electrical applicanes consistent with the practical and theoretical requirements as applicable to barbering or any practice thereof

No school of barbering shall permit its students to practice barbering on the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after first being properly informed that the operator is a student No school of barbering shall directly or indirectly charge any money whatsoever for treatment by its students or for materials used in such treatment

Section 13 To shave or trim the beard to cut hair and to shape the eyebrows to give facial and scalp massaging facial and scalp treatment with any preparations made for this purpose either by hand or by mechanical or electrical appliances to singe and shampoo the hair or apply any makes of hair lotions or hair tonics and to dye hair of any person for compensation direct or indirect the person performing such service shall be construed as practicing the occupation of [barber] barbering within the meaning of this act No person shall practice or attempt to practice barbering for compensation directly or indirectly in any place other than a registered barber shop except that any registered barber in a registered barber shop may furnish barber services to persons at their place of residence or in institutions in cases of sickness incapacitation confinement and other emergencies Provided however That nothing contained in this section shall be construed to include hospitals or colleges and private schools for children so-called beauty shops or hair-dressing parlors or schools of beauty culture except that it shall be unlawful and a violation of this act for any person to employ or to accept employment in any such shops parlors or schools who has been refused a certificate by the department

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Leisey,	Powers,	Wood, L. M.,
Ewing,	Leonard,	Propert,	Wood, N.,
Finnerty,	Lee,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. F.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No 393, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and

affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossing of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

Whereas It is well recognized that a continuous and even increased production of paper is essential to the full prosecution of the war effort and

Whereas An unhampered and increased flow of logs and pulpwood to the paper mills is necessary to continue the manufacture of this important commodity and

Whereas Certain provisions of the Public Utility Law relating to transportation of goods by motor vehicles impedes and is detrimental to the flow of logs and pulpwood into the paper mills which provisions by reason thereof are directly impeding the war effort.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilties and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as amended or last amended as the case may be by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 709) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holdes out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor

under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural co-operative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or in the transportation of logs or pulp-wood used in the manufacture of paper

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or the transportation of logs or pulpwood used in the manufacture of paper

Section 2 The provisions of this amendment shall be effective until the termination of hostilities in the present war and for six months thereafter The termination of hostilities shall be the date proclaimed by the President of the United States as the date of such termination or the date specified in a concurrent resolution of the two houses of Congress

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lyons,	Reilly,
Baker,	Fullerton,	Madden,	Reynolds,
Barrett,	Gaffney,	Madigan,	Riley,
Barton,	Gallagher,	Mahany,	Robertson,
Baumunk,	Gardner,	Matthews,	Root,
Bentley,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mihm,	Sloan,
Brice,	Haberlen,	Mikula,	Smith,
Brothers,	Hall,	Miller,	Snider,
Brown,	Hamilton,	Milliken,	Snyder,
Brunner, C. H.,	Hare,	Mills,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Modell,	Sorg,
Burns,	Heatherington,	Mooney,	Stank,
Cadwalader,	Helm,	Moore, C. E.,	Stockham,
Chervenak,	Hennihan,	Moore, W. J.,	Stonier,
Chudoff,	Hering,	Moran,	Stuart,
Cohen,	Herman,	Moser,	Swope,
Coleman,	Hersch,	Munley,	Tahl,
Cook,	Hewitt,	Murray, M. L.,	Tate,
Cooper,	Hoffman,	Murray, P. G.,	Tittle,
Corrigan,	Hoggard,	Myhan,	Trachtman,
Costa,	Hoopes,	Nagel,	Trent,
Coulson,	Howells,	Nelson,	Trout,
Coyle,	Hunter,	O'Brien,	Turbett,
Cullen,	Huntley,	O'Connor,	Turner,
Dague,	James,	O'Dare,	Varallo,
Dalrymple,	Jones,	O'Donnell,	Verona,
Dennison,	Kennedy,	O'Neill,	Wachhaus,
Depuy,	Kirley,	Owens,	Wagner,
Dillon,	Kline,	Pentrack,	Waterhouse,
Dix,	Kolankiewicz,	Petrosky,	Watkins,
Dougherty,	Komorofski,	Pettigrew,	Weiss,
Duffy,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Regan,	Fiss,
Fox,	Lopez,	Reidenbach,	Speaker.
Freed,	Lovett,		

NAYS—2

Laughner,	Skale,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 667, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by mo-

tor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

Whereas it is well recognized that a continuous and even increased production of charcoal and wood chemicals is essential to the full prosecution of the war effort and

Whereas an unhampered and increased flow of chemical wood to the charcoal and wood chemical factories is necessary to continue the manufacture of these important commodities and

Whereas certain provisions of the Public Utility Law relating to transportation of goods by motor vehicles impedes and is detrimental to the flow of chemical wood into the charcoal and wood chemical factories which provisions by reason thereof are directly impeding the war effort

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as amended or last amended as the case may be by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 709) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilties are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation

of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or in the transportation of wood used in the manufacture of charcoal and wood chemicals

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or the transportation of wood used in the manufacture of charcoal and wood chemicals

Section 3 The provisions of this amendment shall be effective until the termination of hostilities in the present war and for six months thereafter The termination of hostilities shall be the date proclaimed by the President of the United States as the date of such termination or the date specified in a concurrent resolution of the two houses of Congress

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lyons,	Reilly,
Baker,	Fullerton,	Madden,	Reynolds,
Barrett,	Gaffney,	Madigan,	Riley,
Barton,	Gallagher,	Mahany,	Robertson,
Baumunk,	Gardner,	Matthews,	Root,
Bentley,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mihm,	Sloan,
Brice,	Haberlen,	Mikula,	Smith,
Brothers,	Hall,	Miller,	Snider,
Brown,	Hamilton,	Milliken,	Snyder,
Brunner, C. H.,	Hare,	Mills,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Modell,	Sorg,
Burns,	Heatherington,	Mooney,	Stank,
Cadwalader,	Helm,	Moore, C. E.,	Stockham,
Chervenak,	Hennihan,	Moore, W. J.,	Stonier,
Chudoff,	Hering,	Moran,	Stuart,
Cohen,	Herman,	Moser,	Swope,
Coleman,	Hersch,	Munley,	Tahl,
Cook,	Hewitt,	Murray, M. L.,	Tate,
Cooper,	Hoffman,	Murray, P. G.,	Tittle,
Corrigan,	Hoggard,	Myhan,	Trachtman,
Costa,	Hoopes,	Nagel,	Trent,
Coulson,	Howells,	Nelson,	Trout,
Coyle,	Hunter,	O'Brien,	Turbett,
Cullen,	Huntley,	O'Connor,	Turner,
Dague,	James,	O'Dare,	Varallo,
Dalrymple,	Jones,	O'Donnell,	Verona,
Dennison,	Kennedy,	O'Neill,	Wachhaus,
Depuy,	Kirley,	Owens,	Wagner,
Dillon,	Kline,	Pentrack,	Waterhouse,
Dix,	Kolankiewicz,	Petrosky,	Watkins,
Dougherty,	Komorofski,	Pettigrew,	Weiss,
Duffy	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Lee,	Powers,	Wood, L. H.,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Regan,	Fiss,
Fox,	Lopez,	Reidenbach,	Speaker.
Freed,	Lovett,		

NAYS—2

Laughner,	Skale,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages under agreement between the Commonwealth and the institution district and authorizing the Pennsylvania Turnpike Commission to pay certain moneys into the State Treasury for the taking of certain lands

Whereas The Commonwealth of Pennsylvania by an Act of Assembly approved the twenty-ninth day of September one thousand nine hundred thirty-eight was authorized to take over without consideration the property of all mental institutions conducted by the various county institution districts with a provision for the division of any lands used both for mental patients and indigent persons and

Whereas The Somerset County Institution District owned a large area of land upon which were erected valuable buildings for the care of indigents and mental patients and for farm purposes and the district was conducting a farm and other industries and was maintaining its own patients and others under contract from other counties and

Whereas Prior to the assumption of control by the Commonwealth of the mental institution the Pennsylvania Turnpike Commission condemned a portion of the premises and constructed its highway over the land to the great injury of the Somerset County Institution District in its ownership management and control of the same and

Whereas Viewers duly appointed upon evidence furnished by the Commission and the Somerset County Institution District found that the property had been damaged by the construction of the highway and awarded damages in the sum of fourteen thousand three hundred twenty-five dollars ($14,325.00) to be paid to the parties entitled thereto (to which sum the addition of an amount of six hundred fifty dollars ($650.00) should be added for land taken for a restaurant and service station being the value agreed upon for same) and

Whereas It was understood and agreed between the Department of Welfare and the Somerset County Institution District that said amount of fourteen thousand nine hundred seventy-five dollars ($14,975.00) should belong to the Someset County Institution District in the settlement and division of the property but the viewers' report was not confirmed as it was determined that the Commonwealth and not the Institution District could enforce payment of the damages therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen thousand nine hundred seventy-five dollars ($14,975.00) is hereby appropriated to the Department of Property and Supplies for payment and return to the Somerset County Institution District of the amount awarded as damages for the taking by the Pennsylvania Turnpike Commission of the lands of the Somerset County Institution District before the partial taking over by the Commonwealth of the property of said district and which it had been agreed between the Commonwealth and the Institution District should belong and be returned to the district Payment of this appropriation shall be made on requisition of the Secretary of Property and Supplies with the approval of the Department of Justice

Section 2 The Pennsylvania Turnpike Commission is hereby authorized to pay into the State Treasury such sum as may be agreed upon between the said commission and the Department of Welfare of the Commonwealth as a proper consideration for land taken for the construction of its highway and for the erection of a restaurant and service station as set forth in the preamble of this act for the purpose of reimbursing the Somerset County Institution District for the difference between the value of land intended to be reconveyed by the Commonwealth to the said district and the land remaining for such reconveyance after such taking

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moore,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection

House Bill No. 967, Printer's No. 739, and

House Bill No. 1287, Printer's No. 740,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 103, as follows:

An Act making an appropriation to the Department of Property and Supplies for additions repairs and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars ($150,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for use at the Pennsylvania Soldiers and Sailors Home at Erie for altering improving adding to or replacing existing buildings for purchase of construction of a sewage treatment plant water supply systems electrical and other facilities for altering improving adding to or replacing any existing sewage treatment plant water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in renovated buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Military Affairs

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 231, as follows:

An Act to amend section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities person association or corporation to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" providing for and regulating the change of width grade lines or location of state highways in such cities the ascertainment and assessment of damages and benefits to abutting property in connection therewith and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures and making appropriations from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations

or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the asssessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" is hereby amended to read as follows

Section 7 [The Department of Highways shall not change the widths lines or grades of the streets taken over under the provisions of this act or any section thereof without the consent of the city evidenced by an ordinance duly passed in accordance with laws applicable thereto and in the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto]

Before the Secretary of Highways shall undertake the construction reconstruction or improvement of any State Highway on the plan of the State highway in any such city wherein a change of width grade or of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the proper city in writing of the contemplated change in such existing width grade lines and location

After the city has by ordinance agreed to such changes or refused to agree thereto as hereinafter provided the Secretary of Highways may proceed with the work of construction reconstruction and improvement After the receipt of the notice as above provided the city if it approves such change of width grade or of existing lines and location and agrees thereto by ordinance shall when possible enter into an agreement with the owner or owners of said property as to amount of damage to be paid to the said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars ($300.00) the same shall not be paid by the city until the proposed agreement shall have been filed by the city in the office of the prothonotary of the county in which the property damage is situated If no exceptions are filed thereto within ten days after notice given by publication as hereinafter provided the city may pay the amount so agreed upon If exceptions thereto are filed within ten days after such notice the proceedings shall be presented to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the city and the property owner could agree thereon In such cases if the property owner and the city should agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the said parties without any further approval by the court Notice of the filing of such agreement in the office of the prothonotary and of the time and place of hearing in all such cases shall be given by one publication in one or more newspapers of general circulation throughout the county which shall state that any taxpayer may file exceptions to the agreement or may appear at such hearing and be heard together with his witnesses as the case may be Only such payments as to which no exceptions have been filed or as have been approved by the court as above provided shall be paid by the city In case an agreement satisfactory to the city and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the city may present their petition to the court of common pleas for the appointment of viewers to ascertain and assess such damages as well as any benefits The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages as well as any benefits in such city The city or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the city in which the State highway is located

Whenever the city does not consent to or approve any such change of width grade or of existing lines and location and the Secretary of Highways determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damage as well as any benefits in the manner provided by law for the opening of public highways and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the city agreed to such but the damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund

The city shall also be liable for any damages sustained by abutting property owners for a change of the width grade or lines of roads interecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width grade lines or location for the construction of a State highway Such damages shall be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width grade or of existing lines and location of State highways In case the city shall not have consented to and approved such change of width grade or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the city and such damages shall also be paid from the Motor License Fund

The city shall also provide for the removal of all structures within the lines of the highway as thus established unless otherwise provided by agreement between said city and the Secretary of Highways and in case the same is to be done by the Commonwealth the cost thereof shall also be paid out of the Motor License Fund

Any moneys in the Motor License Fund necessary to make the payments required by this section are hereby specifically appropriated to the Department of Highways

If the city refuses to assume all damages in connection with the relocation or widening of any highway as hereinbefore provided the city and the Secretary of Highways may thereafter agree that the city shall pay a portion thereof to either the owners or to the Department of Highways or shall perform specified work for the benefit of the owner in lieu thereof or shall participate in the total damage expense in such other manner as may be agreed upon

Nothing contained in this act shall be construed as placing on the Commonwealth the payment of any damages or costs incident to the change of width grades lines or location of any State highway where such highway was widened or graded or the lines or location changed prior to the date this act takes effect but all such damages and costs shall be paid by the city in the manner provided by this act as if the city had agreed thereto as herein provided

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 396, as follows:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters shall mark the area and boundaries of the Brandywine Battlefield and may take steps to acquire by gift or purchase in the name of the Commonwealth important and historic lands and particularly buildings which existed at the time of said battle in order that the same may be preserved for the benefit and enjoyment of the people and be incorporated into the Brandywine Battlefield Park when the same is developed into a State park but all purchases as aforesaid shall be subject to further action by the General Assembly of the Commonwealth

Section 2 The sum of five thousand dollars ($5,000) is hereby specifically appropriated to the Department of Forests and Waters for the payment of the expense incurred in the performance of its duties for costs and expenses incurred in surveying and marking the area of the Brandywine Battlefield and for the payment of the purchase price of any property acquired for the Commonwealth and title searches in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reese D. P.,	Wright,
Fleming	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeable to order,

The House preceeded to the third reading and consideration of Senate Bill No. 403, as follows:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration there of establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by terminating interest on accumulated deductions on the date of separating from school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eighteen of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(18) "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act to the credit of the annuity savings account together with the regular interest credited thereon to the date on which the contributor separates from school service

Section 2 Subsection one of section twelve of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2601) is hereby further amended to read as follows

Section 12 (1) Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service or should such contributor legally withdraw from the retirement system he or she shall be paid on demand from the fund created by this act (a) The full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account as of the date of such separation from school service or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulation deductions His or her membership in the retirement associations shall thereupon cease

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Swope,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 438, Printer's No. 497,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 144, as follows:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" is hereby amended to read as follows

Section 1 Whenever application shall be made to the proper county officer by or on behalf of any disabled war veteran or member of the armed forces of any war in which the United States has been is now or shall hereafter be engaged or by or on behalf of any dependent of any such veteran or member of the armed forces for a certified copy of any death certificate birth certificate marriage certificate or decree of divorce for use in connection with any claim for death benefits [and] compensation allowance family or dependency allotment it shall be the duty of such county officer to furnish such certified copy free of any charge therefor provided for by any law of this Commonwealth provided that no divorce certificate shall be issued under this act unless said divorce action record shows all costs fully paid Provided That where any county office issues any certificate under this act that said office shall be given an earned credit for the same by proper authorities as if the fee for said certificate had been received from person or persons applying therefor

[Any county officer violating the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of ten dollars ($10) and costs and in default of payment of such fine and costs shall be committed to the county jail for a period not to exceed five (5) days]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 528, as follows:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" as amended by the act approved the second day of July one thousand eight hun-

dred ninety-five (P. L. 424) is hereby further amended to read as follows

Section 14 The salaries of all county officers in the counties to which this act applies which shall have less than two hundred and fifty thousand and over one hundred and fifty thousand inhabitants each shall be as follows namely

Of district attorney four thousand dollars

First assistant district attorney eighteen hundred dollars

Second assistant district attorney twelve hundred dollars when such office is found necessary by the salary board

Of sheriff six thousand dollars

Of prothonotary six thousand dollars

Of clerk of courts four thousand dollars

Of register of wills and ex-officio clerk of the orphans' court four thousand dollars

Of recorder of deeds four thousand dollars

Of county treasurer five thousand dollars

[Of county surveyor three hundred dollars]

Of county commissioners each twenty-five hundred dollars

Of county auditors where there is a controller each one hundred dollars

Of county solicitor one thousand dollars

Of county prison warden two thousand dollars

Of coroner two thousand dollars

Of county directors of the poor each fifteen hundred dollars

Of jury commissioners each five hundred dollars

Of county controller where such office exists or may be created four thousand dollars

Of county detective eighteen hundred dollars

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moran,	Stockham,
Chudoff,	Hering,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Power,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 565, as follows:

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" are hereby further amended to read as follows

Section 3 Definitions

* * * * *

(f) The development of a project shall be deemed to be initiated" within the meaning of this act if a housing authority has issued any bonds notes or other obligations

with respect to financing the development of such projects of the housing authority or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such projects of the Federal Government for which an allocation of funds has been made prior to May 31 [1945] 1947

Section 4 During the national defense period every housing authority shall have the power to undertake the development and administration of projects within its field of operation to provide safe and sanitary dwellings for persons engaged in national defense activities but no housing authority shall initiate the development of any such project pursuant to this act after May 31 [1945] 1947

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 673 as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Division of Aeronautics Department of Revenue and subject to the approval of the Governor is hereby specifically authorized to grant and convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona all that certain piece parcel or tract of land situate lying and being in the township of North Woodbury County of Blair and Commonwealth of Pennsylvania consisting of five tracts more fully described as follows

Tract No 1 Beginning at a point in the Weaver Lane at corner of land of William E Hinton and Carrie M Hinton and lands of Clair Wier and Beulah Wier thence along said Lane North 73° 11′ 20″ West 1826.16 feet to a point thence North 15° 51′ East 496.82 feet to a pipe thence along other lands of grantor South 64° 50′ East 1569.40 feet to a pipe thence along other lands of grantor North 22° 50′ East 2123.85 feet to a pipe at the Southwest side of the public road leading from Martinsburg to Henrietta thence along lands of Clair Wier and Beulah Wier South 15° 23′ 40″ West 2381.41 feet to a point and place of beginning Containing 21.979 acres

Tract No 2 Beginning at a point in the Weaver Lane at corner of lands of George H Bridenbaugh and Gertrude M Bridenbaugh and lands now or late of Mary Cooper thence along said land South 73° 11′ 20″ East 1366.74 feet to a point thence along land now or late of David S Hoover South 16° 31′ 20″ West 502.19 feet to a point thence along other lands of grantors North 64° 50′ West 1380.19 feet to a pipe thence along other lands of grantors South 22° 50′ West 22.50 feet to a point on line of lands now or late of Mary Cooper thence along line of said lands now or late of Marcy Cooper North 16° 34′ East 324.08 feet to a point and place of beginning Containing 12.607 acres

Tract No. 3 Beginning at a point in the Weaver Lane at a corner of the lands of the The Federal Land Bank of Baltimore and lands now or formerly of Michael Bridenbaugh thence binding along said Weaver Land South 73° 11′ 20″ East 23.96 feet to a point thence along other lands of The Federal Land Bank of Baltimore South 16° 31′ 20″ West 505.75 feet to a pipe thence along other lands of The Federal Land Bank of Baltimore North 64° 50′ West 462.11 feet to a point on said Bridenbaugh land thence along said Bridenbaugh lands North 16° 31′ 20″ East 502.19 East 502.19 feet to a point in place of beginning and containing 5.189 acres more or less

Tract No 4 Beginning at a point at land of William Hinton on the road leading from Martinsburg to Henrietta thence along the said road South 49° 28′ 30″ East 524.82 feet to a point on said road thence South 22° 50′ West 1984.73 feet to a point thence from said point South 64° 50′ East 1279.09 feet to a point thence South 16° 48′ 40″ West 10.3 feet to a point on an old road heretofore known as the Weaver Lane along land of Nevin Bridenbaugh and thence along the said Nevin Bridenbaugh and Louis Smith in the said Weaver Lane North 73° 11′ 20″ West 1478.86 feet to a point on the land of William

Hinton and thence along the said William Hinton North 15° 23′ 40″ East 2381.41 feet to the place of beginning and containing 21.39 acres more or less

Tract No 5 Beginning at a point in the Weaver Lane at corner of lands late of Mary Cooper and lands now or late of Michael Bridenbaugh thence along said Bridenbaugh lands South 16° 34′ West 2174.08 feet to a point thence North 73° 57′ West 703.52 feet to a pipe thence along other lands late of Mary Cooper North 22° 50′ East 1951.98 feet to a pipe thence along other lands late of Mary Cooper North 64° 50′ West 1507.78 feet to a pipe thence North 15° 51′ East 9.86 feet to a point on said Weaver Lane thence along said Weaver Lane South 73° 11′ 20″ East 1983.28 feet to a point and place of beginning containing 33.274 acres

These being the same tracts of land which were purchased by the Commonwealth for use as an airport on December 30 1936 January 7 1937 April 26 1937 May 14 1937 and May 15 1937 respectively and recorded in the Recorder's Office in Blair County in Deed Books Volume 434 page 109 Volume 434 page 314 Volume 434 page 482 Volume 434 page 639 and Volume 446 page 415 and of which tracts the deeds are now on file in the office of the Secretary of Internal Affairs

The conveyance herein authorized shall be subject to the same reservations and exceptions as expressed in the deeds to the Commonwealth hereinbefore described

Section 2 The grant or conveyance herein authorized may be made for such consideration or without consideration as the Governor may approve Said grant or conveyance shall be effected by execution of a deed in regular form from the Commonwealth executed and delivered by the Department of Property and Supplies to the County of Blair and the City of Altoona

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 679, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately three-tenths of an acre of land in the County of Delaware upon which is erected the Chester Range Front Light and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in Delaware County upon which is erected the Chester Range Front Light containing three-tenths (.3) of an acre more or less bounded and described as follows

Beginning at a point on the pierhead line of the River Delaware as established by the United States Government said point being forty-two and seventy-five one-hundredths (42.75) feet measured Southeastwardly from a point in the Chester Range which last mentioned point is at the distance of two thousand five hundred six and fifty-three one-hundredths (2506.53) feet measured Southwestwardly from the Chester Range Front Monument and measured at right angles to said Range thence following the said pierhead line South sixty-four (64) degrees twenty-seven (27) minutes and forty-seven (47) seconds West one hundred two and ninety one-hundredths (102.90) feet to a point thence North thirty-nine (39) degrees ten (10) minutes and fifty-five (55) seconds West one hundred eighteen and forty-seven one-hundredths (118.47) feet to a point thence North fifty (50) degrees forty-nine (49) minutes and five (5) secocnds East one hundred (100) feet to a point thence South thirty-nine (39) degrees ten (10) minutes and fifty-five (55) seconds East one hundred forty-two and seventy-five one-hundredths (142.75) feet to the point or place of beginning

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazine arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States and Provided further That the above cession is hereby made contingent

upon the United States of America conveying to the Commonwealth of Pennsylvania all that tract of land conveyed by the Governor of Pennsylvania to the United States of America as will more fully appear by reference to deed dated October 19 1917 and recorded in the office for the Recording of Deeds in and for Delaware County in Deed Book number 387 page 581 and Provided further That the United States of America will relinquish the cession of jurisdiction therein granted by the Commonwealth of Pennsylvania

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded by the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivision whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elliott,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 695, as follows:

An Act to amend section twelve hundred nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times and the salvaging thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve hundred nine of the act approved the third day of June one thousand nine hundred thirty seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 1209 Opening of Polls Posting Cards of Instruction and Notices of Penalties Examination of Voting machines (a) In districts in which ballots are used the election officers shall after taking the oath open the ballot boxes which have been furnished to them and burn and totally destroy all the ballots and other papers which they may find therein before the opening of the polls

Whenever during any emergency it becomes necessary to save waste paper on account of a shortage thereof the Governor of the Commonwealth may by proclamation suspend the foregoing provisions relating to the destruction of ballots and papers and in that case the election board shall set the ballots and other papers aside and they shall be collected and disposed of by such means and in such manner as may be determined by the county election board When the polling place is opened

the ballot box shall be securely locked and shall not be opened until the close of the polls as provided in section 1221 At the opening of the polls the seals of the packages furnished by the county board shall be publicly broken and the said packages shall be opened by the judge of election The cards of instruction and notices of penalties shall be immediately posted in each voting compartment and not less than three such cards and notices of penalties and not less than five specimen ballots (at primaries five of each party) shall be immediately posted in or about the voting room outside the enclosed space and such cards of instruction notices of penalties and specimen ballots shall be given to any elector at his request so long as there are any on hand

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly
Baker,	Fullerton,	Lyons	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 713, as follows:

An Act to amend sections three and five of Article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by making provisions for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of Article 19 of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 3 The qualifications of candidates for the office of inspector shall be certified to the Examining Board and shall be as follows

The candidates shall be citizens of Pennsylvania of temperate habits of good repute as men of personal integrity in good physical condition and shall be between the ages of thirty and fifty years Provided however That any inspector appointed under the provisions of the act of May fifteen one thousand eight hundred and ninety-three or under the provisions of this act shall be eligible for reappointment even if beyond fifty years of age if in good physical condition The candidates shall have a knowledge of the different systems of working coal seams and shall have had at least ten years' practical experience in bituminous mines five years of which immediately preceding their examination shall have been in bituminous mines of this Commonwealth and shall also have had practical experience with explosive gas and other dangerous gases found in coal mines and upon examination shall give evidence of such theoretical as well as practical knowledge and general intelligence respecting mines and mining and the working and ventilation of mines as will satisfy the Examining Board of their capability and fitness for the duties imposed upon inspectors of mines by the provisions of this act Provided however that any applicant who has served in the armed forces of the United States and who has had ten years experience in the bituminous mines of Pennsylvania shall be eligible to take such examination although he has not worked in the mines for five years immediately preceding the examination

Section 2 Section five of Article 19 is hereby amended to read as follows

Section 5 The Governor shall from the names certified to him by the Examining Board commission one person to be inspector for each district in pursuance of this act whose commission shall be for a full term of four years from the fifteenth day of May following the regular examinations Each inspector appointed under the provisions of the act of May fifteenth one thousand eight hundred and ninety-three may continue in office until May fifteen one thousand nine hundred and thirteen

After the passage of this act the [Chief] Secretary of the Department of Mines shall have the right to assign the inspectors to the districts for which in his opinion they are best fitted Provided however That any one who has been certified to the Governor by the Examining Board as eligible for appointment as an inspector and whose name was on such list at the time he entered the armed forces of the United States shall remain on said

approved list until he has had an opportunity to again qualify Provided further that any person who has been commissioned as an inspector for a period of four years and who subsequent to his appointment entered the armed forces of the United States shall be entitled to serve his full term upon his return from the service

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Denuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 723 as follows:

An Act to amend subsection (a) and further amend subsection (b) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further regulating judicial review

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (b) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" clause (b) of which was amended by the act aporoved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 651) are hereby further amended to read as follows

Section 9 Judicial Review (a) The board shall have power to petition the court of common pleas of any county wherein the unfair labor practice in question occurred or wherein any person charged with the commis-

sion of any unfair labor practice resides or transacts business for the enforcement of such order and for appropriate temporary relief or restraining order and shall certify and file in the court a transcript of the entire record in the proceeding including the pleadings and testimony upon which such order was entered and the findings and order of the board Upon such filing the court shall cause notice thereof to be served upon such person and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings testimony and proceedings set forth in such transcript a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board The parties before the court shall be the board and the person charged with the commission of any unfair labor practice No objection that has not been urged before the board its members or agents shall be considered by the court unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances The findings of the board as to the facts if supported by evidence shall be conclusive If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence at the hearing before the board its members or agent the court may order such additional evidence to be taken before the board its members or agent and to be made a part of the transcript The board may modify its findings as to the facts or make new findings by reason of additional evidence so taken and filed and it shall file such modified or new findings which if supported by evidence shall be conclusive and shall file its recommendations if any for the modification or setting aside of its original order The jurisdicton of the court of common pleas shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review by the Supreme Court on appeal by [either party] the board or any party in interest irrespective of the nature of the decree or judgment or the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court and the record so certified shall contain all that was before the court of common pleas

(b) Any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employes may obtain a review of such order in the court of common pleas of any county where the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business by filing in such court within sixty days after the final order has issued by the board a written petition praying that the order of the board be modified or set aside A copy of such petition shall be forthwith served upon the board and the board shall file in the court a transcript of the entire record in the proceeding certified by the board including the pleadings and testimony and order of the board Upon such filing the court shall proceed in the same manner as in the case of an application by the board under subsection (a) and shall have the same exclusive jurisdiction to grant to the board such temporary relief or restraining order as it deems just and proper and in like manner to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board and the findings of the board as to the facts if supported by substantial and legally credible evidence shall in like manner be conclusive The parties before the court shall be any person aggrieved by a final order of the board as aforesaid and the board The jurisdiction of the court of common pleas shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review by the Supreme Court on appeal by the person aggrieved or the board irrespective of the nature of the decree or judgment or the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court and the record so certified shall contain all that was before the court of common pleas [In all cases of review to the Supreme Court of Pennsylvania under this act the appellant may print a transcript containing an abridgment of the record in narrative form as far as necessary to present the questions for decisions Such printed transcript shall refer to the page of the original transcript and record certified by the board which original transcript shall be filed with the Supreme Court]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 734, as follows:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the board of directors of any corporation incorporated under the laws of this Commonwealth for the purpose of the support of a hospital for the insane or the reception and care of insane persons shall determine that it will be for the best interests of the insane persons then in its charge so to do such corporation shall have power and authority to transfer to the Commonwealth absolute title in fee simple to all of its properties possessions and endowments real and personal together with the care of the insane persons then in its charge and upon the recommendation of the Secretary of Welfare approved by the Governor the Commonwealth shall accept such transfer and thereupon all moneys previously appropriated to such corporation which remain unexpended after payment of all of its debts and liabilities shall be expended by the Department of Welfare for the maintenance of the properties so transferred and the care of the insane persons housed thereon

Section 2 This act shall become effective immediately upon its approval

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 750, Printer's No. 474,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 775, as follows:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Joint State Government Commission for the purpose of making a thorough investigation and impartial study in order to determine the relative responsibilities and burdens which should in equity be placed on the Commonwealth and on political subdivisions in respect to financing the cost of the construction reconstruction and maintenance of the highways of the Commonwealth including all State and local highways the amount of State-aid for highway purposes which should be granted by the Commonwealth to political subdivisions for highway purposes and generally to develop a sound and scientific financial highway program for the Commonwealth and its political subdivisions

Section 2 The said Commonwealth shall have the power and its duty shall be to consult with research organizations of recognized standing to assist in developing and obtaining all the facts data statistics and information which may be necessary in carrying out the purposes of this act and the Commission shall appoint advisory

committees consisting of administrative officials of State and local governments and of representatives of organized groups having direct interest in and affected by the construction reconstruction maintenance and repair of highways in the State to aid in effectuating the purposes of this act

Section 3 All departments and agencies of the State and local governments shall assist the Commission in every way possible and make available and furnish such data records information and advice pertinent to the investigation and study as provided herein and as may be deemed necessary by the Commission

Section 4 The Commission is authorized to employ all such professional technical clerical or other assistance as it may deem necessary and pertinent to this investigation and study to pay for any travelling or other expenses of its members printing of any statements or reports and to enter into contracts and agreements with organizations specifically qualified and equipped to assist the Commission in carrying out the purposes of this act

Section 5 The said Commission shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the Commission and to produce such books papers records and documents as the Commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said Commission shall have power to administer oaths and affirmations to witnesses appearing before the Commission Any person who shall wilfully neglect or refuse to testify before said Commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 6 The said Commission shall make a full and complete report of its findings and recommendations to the next regular session of the General Assembly not later than the first day of March one thousand nine hundred forty-seven together with such drafts of legislation as may be necessary to carry out its recommendations

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolanklewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

House Bill No. 1128, Printer's No. 744,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 355 as follows:

An Act for the prevention control and cure of venereal disease by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the Secretary of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties

Whereas The health and lives of the people and of the members of the armed forces are menaced by the presence and frequently of the grave infectious diseases known as venereal diseases and

Whereas There have been recent important improvements in the methods of dealing with venereal disease and

Whereas Public health demands adequate measures to control the spread and provide for the diagnosis and treatment of venereal disease therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition For the purposes of this act syphilis gonorrhea chancroid lymphogranuloma venereum and granuloma inguinale are herein designated as venereal diseases and are hereby declared to be subject to regulation as contagious infectious communicable and dangerous to public health

Section 2 Examination and Diagnosis Whenever the Secretary of Health has reasonable grounds to suspect

any person of being infected with a venereal disease he shall require such person to undergo a medical examination and blood test or other approved diagnostic procedure for the purpose of ascertaining whether or not such person is infected with a venereal disease It shall be the duty of every such person to submit to such diagnosite procedure In the event that such person refuses to submit to such diagnostic procedure the Secretary of Health at its discretion may either (1) cause such person to be quarantined until such person is determinated by the Secretary of Health not to be infected with a venereal disease in a communicable stage or (2) file a bill in equity in any court of record having jurisdiction to compel such person to submit to the said diagnostic procedure all records in such proceedings being impounded by the court

(a) Any person taken into custody and charged with any crime involving lewd conduct or sex offense shall be examined for venereal diseases by the Secretary of Health or a qualified physician designated by him

(b) Any person taken into custody and confined in or committed to any penal institution or house of correction or detention or any person to whom the jurisdiction of a juvenile court shall attach shall be examined for venereal diseases by the Secretary of Health or a qualified physician designated by him

(c) Any such person noted in paragraphs (a) or (b) of this section found upon such examination to be infected with any venereal disease shall be given appropriate treatment by duly constituted health authorities or their deputies or by the attending physician of the institution if any

Section 3 Diagnostic Tests For the purpose of this act a standard or approved test procedure for each of the venereal diseases shall be a test approved by the State Department of Health and if a laboratory test is part of the approved procedure it shall be made in a laboratory approved to make such tests by the State Department of Health

Section 4 Reporting Every physician who diagnoses any case of syphilis shall make a written report of such case to the State Department of Health or its authorized agent or agents upon forms provided by and in accordance with regulations prescribed by such Department

Physicians midwives nurses and others engaged in the care of new-born infants shall report all cases of eye infection of new-born infants to the State Department of Health upon forms provided and in accordance with regulations prescribed by said Department

Section 5 Treatment The State Department of Health shall provide or designate adequate facilities for the free diagnosis (including blood and other tests) of venereal diseases and for the free treatment and care of persons so infected when necessary for the public health

(a) Any person determined by the Secretary of Health to be infected with a venereal disease in a communicable stage may in the discretion of the Secretary of Health be dealt with in accordance with its quarantine regulations until the disease of such person is determined by approved diagnostic procedure to be no longer in a communicable stage

(b) If a person is determined by the Secretary to be infected with a venereal disease in a communicable stage and if such person refuses to submit to treatment approved by the Secretary of Health any court of record having equitable jurisdiction may upon application of the State Department of Health commit such person to an appropriate institution designated by the State Department of Health for treatment until the diease has been rendered non-communicable

Section 6 Pre-martial Examination (a) No license to marry shall be issued until there shall be in the possession of the clerk of the orphans' court a statement or statements signed by a duly licensed physician of the Commonwealth of Pennsylvania or any commissioned medical officer in the United States Army or Navy or any physician of the Public Health Service of the Federal Government that each applicant within thirty days of the issuance of the marriage license has submitted to an examination to determine the existence or non-existence of syphilis which examination has included a standard serological test or tests for syphilis and that in the opinion of the examining physician the applicant is not infected with syphilis or if so infected is not in a stage of the disease which is likely to become communicable The physician's statement shall be accompanied by a statement from the person in charge of the laboratory making the test or from some other person authorized to make such statement setting forth the name of the test the date it was made the name and address of the physician to whom a report was sent and the exact name and address of the person whose blood was tested but not setting forth the result of the test

(b) Any applicant for a marriage license having been denied a physicians' statement as required by this act shall have the right of appeal to the State Department of Health for a review of the case and said Department shall after appropriate investigation issue or refuse to issue a statement in lieu of the physician's statement required by subsection (a) of this section

(c) The statements required of the physician who examined the applicant and the laboratory which made the serological or other test shall be uniform throughout the State and shall be upon forms provided therefor by the State Department of Health These forms shall be filed by the clerk of the orphans' court separately from the applications for marriage licenses and shall be regarded as absolutely confidential by any and every person whose duty it may be to obtain make transmit or receive such information or report

(d) It shall be unlawful for any applicant for a marriage license physician or representative of a laboratory to misrepresent any of the facts prescribed by this act or for any licensing officer failing to receive the statements prescribed by this act or having reason to believe that any of the facts thereon have been misrepresented nevertheless to issue a marriage license or for any person to disregard the confidential character of the information or reports required by this act or for any other person otherwise to fail to comply with the provisions of this act

Section 7 Pre-natal Examination (a) Every physician who attends treats or examines any pregnant woman for conditions relating to pregnancy during the period of gestation or at delivery shall take or cause to be taken unless the woman dissents a sample of blood of such woman at the time of first examination or within fifteen (15) days thereof and shall submit such sample to an approved laboratory as defined in section three of this act for an approved serological test for syphilis All other persons permitted by law to attend pregnant women but not permitted by law to take blood samples shall unless the woman dissents likewise cause a sample of the blood of every such pregnant woman attended by them to be taken by a duly licensed physician of the Commonwealth of Pennsylvania and submit it to an approved laboratory for an approved serological test In the event of dissent it shall be the duty of the physician to explain to such pregnant women the desirability of such a test

(b) In reporting every birth and still-birth physicians and others required to make such reports shall state upon the certificate whether the above required blood test was made and if made the date of test

Section 8 Advertisement The Department of Health shall formulate rules and regulations concerning the advertisement of treatment prophylaxis diagnosis and/or cure of diseases of the generative organs or of venereal diseases

Section 9 Sale of Drugs Prohibited Sale of drugs or other remedies for the treatment of such diseases is prohibited except under prescription of duly licensed physicians of the Commonwealth

Section 10 Education in Venereal Disease (a) The State Department of Health shall disseminate to the public information relating to venereal diseases to aid in the prevention and control of said diseases

(b) In accordance with the regulations and by methods prescribed by the State Department of Health any physician treating a person with venereal disease in a communicable stage shall inform the person of the nature and communicability of his disease and the need for proper treatment

Section 11 Regulations State Department of Health The State Department of Health is hereby authorized and empowered to make such rules and regulations as shall in its judgment be necessary for the carrying out of each of the provisions of this act It shall be unlawful for any person to violate the regulations of the State Department of Health

Section 12 Violations of Act and Penalties Whoever wilfully violates any provision of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) with all costs of prosecution and in default of payment of such fine and costs to undergo imprisonment for a period of not less than thirty days nor more than sixty days

Section 13 Repeal of Other Acts The act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 148) entitled "An act regulating the issuance of marriage licenses prohibiting the issuance thereof to persons infected with syphilis in certain stages requiring each applicant to produce certain evidence of freedom from such diseases imposing duties upon the Department of Health and the clerk of the orphans' court of the various counties and imposing penalties" is hereby repealed

All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 14 Sections Separable The provisions of this act are severable and if any of the provisions thereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 15 Act Effective Immediately This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Greenwood,	McKinney,	Schuster,
Boory,	Green,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 524 as follows:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 635) entitled "An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system prescribing its powers and duties and making an appropriation" continuing such commission changing its purpose and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 635) entitled "An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system prescribing its powers and duties and making an appropriation" is hereby amended to read as follows

Section 2 A commission is hereby created for the purpose of making a [complete study of the methods of maintaining and supporting the public schools and the amount of participation by the Commonwealth and local school districts and making a report thereon to the next session of the General Assembly] study of public school finance including the cost of different types of school organizations and educational programs financed partially or fully by the Commonwealth and making a report thereon to the General Assembly at its regular biennial session in the year one thousand nine hundred forty-seven embodying the commission's recommendations The commission shall consist of a special committee of fifteen members three of whom shall be appointed by the Governor and twelve of whom shall be members of the General Assembly six of whom shall be appointed by the Speaker of the House and six of whom shall be appointed by the President pro tempore of the Senate in each instance with due consideration for representation of the minority

party The chairman of said committee shall be named by the Governor

Section 2 The sum of fifty thousand dollars ($50,000) or as much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the members and for the payment of the compensation and expenses of investigators experts assistants and employes for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss, Speaker.
Freed	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 570 as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum upon the average of the last ten annual assessed valuations of the taxable realty therein but said city shall not increase its indebtedness to an amount exceeding two and one-half (2½) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia and within such county only the city of Philadelphia and the school district of Philadelphia shall have power to incur debt

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefor whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as re-

quired by section ten of this article until the expiration of said period of one year after the completion of said work

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I desire to ask what this proposed amendment to the constitution is.

Mr. SORG. Mr. Speaker, the proposed Joint Resolution amends Article IX Section 4 of the Constitution, which at the present time provides that

> No debt shall be created by or on behalf of the State, except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, or to pay existing debts; and the debt created to supply deficiencies in revenue shall never exceed in the aggregate, at any one time, one million dollars.

The proposed amendment provides that the debt limit shall be fifty million dollars and strikes out the subsequent provision of that same section which is

> Provided, however, that the General Assembly, irrespective of any debt, may authorize the State to issue bonds to the amount of one hundred millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth.

It strikes out that particular provision so that it is actually two amendments to the one section.

Mr. ANDREWS. Mr. Speaker, how long has the provision limiting the debt of the Commonwealth to one million dollars been in effect?

Mr. SORG. Since November 6, 1923, Mr. Speaker. I beg the gentleman's pardon, that is the date of the limitation expressed as it is at the present time.

Mr. ANDREWS. Has the experience of Pennsylvania in the matter of its financing and financial structure been unfavorable as compared with other States where the sky is the limit on issuing bonds?

Mr. SORG. Not to my knowledge, it has not been unfavorable comparatively speaking, Mr. Speaker.

Mr. ANDREWS. As a matter of fact, would not the gentleman from Elk say that our position has been singularly happy among the sisterhood of the States, and largely as the result of the restraining influence of that restriction on bonded debt?

Mr. SORG. I would not say that we have been singularly happy, Mr. Speaker.

Mr. ANDREWS. Might I further inquire as to what has happened that has brought about the desire to make such a radical change in a traditional policy?

Mr. SORG. Mr. Speaker, there is no particular set of circumstances to my knowledge that brings this about.

Mr. ANDREWS. Mr. Speaker, has there been any popular demand?

Mr. SORG. With all apologies to the gentleman from Cambria I want to say that I had reference to Senate Bill 344 rather than Senate Bill 570, which also proposes an amendment to the Constitution limiting the debt of the Commonwealth. This particular measure applies solely and exclusively to the limitation of the debt of the City of Philadelphia.

Mr. ANDREWS. I accept the gentleman's apology and will yield to the gentleman from Philadelphia Mr. Tate.

Mr. TATE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SMITH. I shall.

Mr. TATE. Mr. Speaker, I desire the gentleman, for the information of the House, to explain just what this constitutional amendment does.

Mr. SMITH. Mr. Speaker, for the benefit of the gentleman from Philadelphia, first, our borrowing capacity in the city is ten per cent of the property value plus the real estate value. This bill now eliminates the personal property value and increases it twelve and a half percent on the real estate value.

Mr. TATE. Mr. Speaker, can the gentleman tell the Members of the House why at this time this constitutional amendment is necessary?

Mr. SMITH. Only because the personal property value has great fluctuation. It is stated in this bill that we have based our borrowing capacity on a ten year average, while today it is based on a yearly average. With the personal property value fluctuating as it does, there may be a difference sometimes as much as forty to fifty millions in a year.

Mr. TATE. Mr. Speaker, will the gentleman from Philadelphia further tell me why the personal property assessments go up and down while the real estate assessments constantly decrease?

Mr. SMITH. It is probably, Mr. Speaker, because of the fact that the people in the city make so much money that they move out of the city into Montgomery County among the wealthy people, withdraw their stocks, which makes that figure fluctuate to a certain extent.

Mr. TATE. Would the gentleman tell me that that is the reason why it goes up?

Mr. SMITH. That is the reason why it goes down.

Mr. TATE. Will the gentleman tell me why it goes up?

Mr. SMITH. The stock increases in value, the value of the stock increases and then the assessment value would be greater.

Mr. TATE. But would that not tax that which goes up rather than that which goes down?

Mr. SMITH. That which goes up generally does come down, Mr. Speaker.

Mr. TATE. I presume then, Mr. Speaker, that the gentleman desires this increase in borrowing capacity for some postwar improvements in the City of Philadelphia?

Mr. SMITH. I am sorry, Mr. Speaker, I didn't hear that.

Mr. TATE. Will the gentleman tell the Speaker whether or not this increase in the borrowing capacity is to handle some postwar improvements in the City of Philadelphia?

Mr. SMITH. Mr. Speaker, this does not increase our borrowing capacity. It makes for more stability in our borrowing capacity. Our borrowing capacity will be about the same, which amounts to about thirty million dollars.

Mr. TATE. Is the gentleman aware of the fact that the City of Philadelphia now owes approximately five hundred million dollars?

Mr. SMITH. I do not see why that has anything to do

with this, Mr. Speaker. This has only to do with the borrowing capacity; what we owe and what we do not owe has nothing to do with it. It gives us a more stable borrowing capacity.

Mr. TATE. Is the gentleman aware of the fact that for a great many years the City of Philadelphia was beyond its borrowing capacity?

Mr. SMITH. No, I am afraid, Mr. Speaker, I was not aware of that.

Mr. TATE. The gentleman stated that the borrowing capacity was approximately thirty million dollars. Why it is that the present funded indebtedness of the City of Philadelphia is about five hundred million dollars?

Mr. SMITH. I am still sorry, I do not see that that has anything to do with this bill. This bill merely stablizes borrowing, gives us a more definite and equal borrowing capacity than we have had in the past. I am sorry I cannot tell him anything else about it.

Mr. TATE. Can the gentleman tell me why an increase in the borrowing capacity from ten percent to twelve and a half percent will put it on a more stable basis?

Mr. SMITH. Yes, Mr. Speaker, because it gives us a twelve and a half percent borrowing capacity of the assessed real estate value, which does not fluctuate as much as the personal property.

Mr. TATE. By what magic formula has that been worked out?

Mr. SMITH. On the basis of past performance, Mr. Speaker. Our assessed value varies from year to year.

Mr. TATE. Would the gentleman think that fifteen percent would be more stable?

Mr. SMITH. No, because that would then increase the borrowing capacity of the city. On a two and a half percent increase we give ourselves a greater borrowing capacity, but it will average up over a ten year period.

Mr. TATE. If a fifteen percent borrowing capacity would increase it, how much would it increase it?

Mr. SMITH. It would increase it by two and a half percent more than it is now, Mr. Speaker.

Mr. TATE. How much in dollars and cents?

Mr. SMITH. I would say about eight hundred thousand dollars, Mr. Speaker.

Mr. TATE. As a matter of fact, the gentleman does not know; isn't that correct?

Mr. SMITH. Well, I don't think any of us knows just what it is, because it will have to be an estimate on next year's real estate value.

Mr. TATE. I might refer the gentleman to a recent statement made by the Mayor of the City of Philadelphia in which he said that the real estate assessments have been constantly decreasing. Is that correct?

Mr. SMITH. The real estate assessments only decreased about thirty million dollars during the last year, that is between 1943 and 1944. Our real estate assessed value in the year 1943 was two billion four hundred seventy-eight million dollars and in 1944 two billion four hundred forty-two million dollars.

Mr. TATE. Can the gentleman tell me over a ten year period how much the real estate assessments have decreased?

Mr. SMITH. Well, from the period of 1931 our assessed real estate value was three billion four hundred twenty-two million, and in 1944 it was two billion and something which is a loss of about one billion dollars, which seems to be a lot of money.

Mr. TATE. Mr. Speaker, I rise at this time to oppose this constitutional amendment, mainly because the City of Philadelphia presently does not need this additional borrowing capacity. I think the citizens of the City of Philadelphia are entitled to the present protection of ten percent.

The city administration which is now in power has not shown any honest intention or any honest progressive effort to make capital improvements in their post-war planning, nor have they made any honest efforts to decrease the cost of government in the city of Philadelphia, and until they have shown those honest efforts I think we in the Legislature should continue to keep the same restriction on them, to-wit, the ten percent limit on borrowing capacity. I know the gentleman may refer to the fact that we are taking away from the personal property base. Nevertheless I do not think it is material when you increase your borrowing capacity from ten percent to twelve and a half percent. Over the assessments in particular one can check at a ready glance and will find that that will mean a gigantic increase in the borrowing capacity and in my opinion the increase will be used for more payrolls and more drones.

Mr. SMITH. I believe that the gentleman from Philadelphia is not quite clear on this. This bill does not increase our borrowing capacity; it only stabilizes it; it does not increase it. It takes the personal property tax away and gives a two and a half percent increase on the real estate value. Our borrowing capacity will remain approximately the same, even to a dollar.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Propert,	Watkins,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. F.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, R.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Fiss,
Freed,	Lichtenwalter,	Royer,	Speaker.
Frost,	Loftus,		

NAYS—94

Andrews,	Gallagher,	McNair,	Readinger,
Baker,	Gore,	McNally,	Reese, R. E.,
Barrett,	Grant,	Mihm,	Reidenbach,

Bentzel,	Green,	Mills,	Reynolds,
Boney,	Haberlen,	Modell,	Rose,
Boory,	Hamilton,	Mooney,	Rudisill,
Brancato,	Heatherington,	Moore, W. J.,	Scanlon,
Brothers,	Hennihan,	Moran,	Schuster,
Brown,	Hering,	Munley,	Shaffer,
Brunner, P. A.,	Herman,	Murray, M. L.,	Skale,
Burns,	Hersch,	Myhan,	Snider,
Chervenak,	Hunter,	Nagel,	Stank,
Chudoff,	Jones,	O'Brien,	Swope,
Cohen,	Kirley,	O'Connor,	Tate,
Coleman,	Kolankiewicz,	O'Donnell,	Trachtman,
Corrigan,	Komorofski,	O'Neill,	Trent,
Coyle,	Lane,	Owens,	Varallo,
Cullen,	Leonard,	Pentrack,	Verona,
Dillon,	Levy,	Petrosky,	Weiss,
Dougherty,	Longo,	Pettigrew,	Welsh,
Duffy,	Lopez,	Polaski,	White,
Elish,	Lovett,	Polen,	Wright,
Finnerty,	Matthews,	Powers,	Yester,
Gaffney,	McLanahan,		

NOT VOTING—4

Bentley,	Boies,	Hoggard,	Regan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Oreder, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 748, as follows:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America or any federal agency and placing such lands under the control and supervision of the Department of Forests and Waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters with the approval of the Governor is hereby authorized to accept free and clear of all encumbrances any grant of lands by the United States of America or any agency thereof used as or suitable for parks or recreational areas with any improvements thereon subject to agreement between the Commonwealth of Pennsylvania and the Federal government or any agency thereof concerning the maintenance of said parks or recreational areas The acceptance of said grant shall be completed upon delivery to the Commonwealth of a deed in fee simple subject to the reservation if any of oil gas and minerals upon approval by the Department of Justice

Section 2 Said lands after acceptance shall be under the full control and supervision of the Department of Forests and Waters

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 760, as follows:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement' to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three P. L. 858) as amended entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four and five of the act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" are hereby amended to read as follows

Section 3 A State employe who does not elect to pay into the State Employes' Retirement Fund during the period of his active military service an amount equal to his salary deductions may during the period of such active military service and for a further period of [forty (40) days] one (1) year after completion of such active military service pay into the State Employes' Retirement Fund an amount which shall be equal to the salary deductions multiplied by the number of the semi-monthly periods during which he or she was absent from State employment or State service in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the State employe and the board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

Section 4 A State employe who complies with the provisions of section two or section three of this act shall after such election be classified by the board as a State employe in active military service and shall thereafter during such active military service and for a period of [forty (40) days] one (1) year after the completion of such active military service be entitled to all benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such State employe continued to be in the actual employe and service of the Commonwealth of Pennsylvania at the salary such State employe had been receiving on the date of his or her entry into active military service [Provided however That such State employe shall not have the right to retire upon disability under the provisions of section twelve of the act to which this is a supplement except as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the head of the department shall certify such member as an employe with active military service

Section 5 A State employe who does not file with the board an election to pay his salary deductions into the State Employes' Retirement Fund as provided in section two of this act shall be classified as a nonpaying member in active military service of the State Employes' Retirement Association until he shall return to the actual employe and service of the Commonwealth of Pennsylvania or until such member complies with section three of this act in the manner provided or for the period of such active military service and for [forty (40) days] one (1) year after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled on the date of entry into active military service under any law of the Commonwealth of Pennsylvania relating to the State Employes' Retirement Association and the State Employes' Retirement Fund [Provided however That such member shall not have the right to retire upon disability under the provisions of section twelve of the act to which this is a supplement except as hereinafter] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the head of the department shall certify such member as an employe with active military service

Section 2 Sections six seven eight nine and ten of the act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" are hereby repealed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker
Breisch,	Gyger,	McNally,	Skale,
[illegible]	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Krise,	Pentrack,	Waterhouse,
Dougherty,	Kolankiewicz,	Petrosky,	Watkins,
Duffy,	Komorofski,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,

Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 761, as follows:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled as amended "A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled as amended "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or defendants against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" is hereby amended to read as follows

Section 3 A member who does not elect to pay into the fund during the period of his active military service an amount equal to his salary deductions may during the period of his active military service and for a further period of [forty (40) days] one (1) year after the completion of such active military service pay into the fund an amount which shall be equal to the salary deductions multiplied by the number of the semi-monthly periods during which he or she was absent from State employment or State service in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the member and the board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

Section 2 Sections four and five of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 114) are hereby further amended to read as follows

Section 4 A member who complies with section two or section three of this act shall be classified by the board as a Pennsylvania State Police member in active military service and shall thereafter during such active military service and for a period of [forty (40) days] one (1) year after the completion of such active military service be entitled to all the benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such member continues to be in the actual employment and services of the Commonwealth of Pennsylvania at the salary such member had been receiving on the date of his or her entry into active military service [Provided however That such member and his dependent or dependents shall not have the right to those payments upon death for which provision is made in section eleven or to retire upon disability under the provisions of section thirteen or to receive or to have paid for the member's benefit medical surgical and hospital expenses under the provisions of section twenty-two of the act to which this is a supplement except in each case as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the head of the department shall certify such member as an employe with active military service

Section 5 A member who does not file with the board an election to pay his salary deductions into the fund as provided in section two of this act shall be classified as a nonpaying State police member in active military service of the Pennsylvania State Police Retirement System until he or she shall return to the actual employ or service of the Commonwealth or until such member complies with section three of this act in the manner provided or for the period of such active military service and for [forty (40) days] one (1) year after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled upon the date of entry into active military service under the laws of the Commonwealth of Pennsylvania relating to the Pennsylvania State Police Retirement System and the State Employes' Retirement Association and the State Employes' Retirement Fund [Provided however That such member and his dependent or dependents shall not have the right to the benefit of payments upon death for which provision is made in section eleven of the act to which this is a supplement or the right to the benefit of payment for medical surgical or hospital expenses for which provision is made in section twenty-two of the act to which this is a supplememnt or the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except in each case as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the head of the department shall certify such member as employe with active military service

Section 3 Section six of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 114) is hereby repealed

Section 4 Section seven of said act is hereby repealed

Section 5 Section eight of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 114) is hereby repealed

Section 6 Sections nine and ten of said act are hereby repealed

Section 7 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Coulson,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 745 as follows:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift or purchase and to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County providing for the control and management thereof authorizing the Pennsylvania Historical Commission to cooperate with the Federal Government or any agency thereof or with other organizations and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of perpetuating the stirring memories of the capture of the fort located at the confluence of the Monongahela and Allegheny Rivers in one thousand seven hundred fifty-eight by General Forbes the rebuilding and naming it Fort Pitt after the famous English Prime Minister and thus forever ending the reign of the French on the said river fifty thousand dollars ($50,000) or so much thereof as shall be necessary is hereby appropriated to the Pennsylvania Historical Commission for the erection and maintenance of a suitable historical memorial and park at the site of Fort Pitt

Section 2 Pennsylvania Historical Commission is hereby authorized to cooperate with the Federal Government or any agency thereof or with any other interested organization in providing for the erection of a proper and authentic replica of said Fort Pitt and the maintenance of a suitable park providing a setting for this historical shrine

Section 3 Pennsylvania Historical Commission after said memorial has been completed shall make and enforce rules and regulations for the preservation visitation and maintenance thereof and shall so establish these regulations as to make possible the permanent maintenance of the memorial as a historical patriotic and educational center serving constantly to remind the Americans of the historical role of Pennsylvania in the French and Indian War and the founding of our Republic

Section 4 The Pennsylvania Historical Commission is hereby specifically authorized to accept any and all moneys offered by the Federal Government or any agency thereof for the purpose of carrying out the provisions of this act and to cooperate with any and all patriotic societies in providing for said restoration and to accept any and all moneys which may be raised by public or private subscription for the purpose of assisting in the erection and maintenance of the Fort Pitt Memorial

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,

Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Wiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 175 as follows:

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and approprating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and perscribing penalties" as amended by the act approved the twenty-ninth day of April one thousand nine hundred twenty-nine (P. L. 860) is hereby further amended to read as follows

Section 4 Boxing sparring and wrestling matches or exhibitions are hereby allowed except on Sundays The commission shall have and hereby is vested with the sole direction management control and jurisdiction over all such boxing sparring and wrestling matches or exhibitions to be conducted held or given within this Commonwealth and it is hereby authorized to issue licenses and permits therefor No such boxing sparring or wrestling match or exhibition shall be conducted held or given within the Commonwealth except in accordance with the provisions of this act The commission shall issue under its hand and seal annual permits in writing for holding such boxing sparring or wrestling matches or exhibitions but only to persons or corporations duly licensed as hereinafter provided by said commission which permits may be revoked or suspended after hearing upon violation of any of the provisions of this act or any rule regulaton or order of the commission However the commission in its discretion may fix a fine or fines which if paid can be accepted in lieu of any revocation or suspension of permit The commission is hereby further given the sole control authority and jurisdiction over all licenses and permits to hold boxing sparring or wrestling matches or exhibitions and over all licenses to any and all persons who participate in such boxing sparring or wrestling matches or exhibitions as hereinafter provided The commission in its discretion is authorized to make and promulgate rules and regulations not inconsistent with any of the provisions of this act as amended

Section 2 Section twelve of said act as amended by the act approved the eighth day of May one thousand nine hundred forty-three (P. L. 255) is hereby further amended to read as follows

Section 12 No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition [and no children under sixteen years of age shall be permitted to attend as spectators] Provided That persons sixteen and seventeen years of age may participate in amateur boxing sparring and wrestling matches or exhibitions with other persons not over seventeen years of age under such regulations as the State Athletic Commission shall prescribe No children under fourteen years of age shall be permitted to attend such matches as spectators and no children between fourteen and sixteen years of age shall be permitted to so attend unless accompanied by their parents or guardian

Whoever violates any of the provisions of this scetion shall upon conviction thereof in a summary proceeding be sentenced to pay the cost of prosecution and a fine not exceeding one hundred dollars ($100) for each such offense and in default of the payment thereof shall be imprisoned for a period not exceeding sixty (60) days

Section 3 Section ten of the said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred twenty-nine (P. L. 860) and further amended by the act approved the twenty-eighth day of April one thousand nine hundred thirty-three (P. L. 98) is hereby further amended to read as follows

Section 10 No boxing or sparring match or exhibition shall be more than fifteen rounds in length nor shall such rounds be more than three minutes each No boxer shall be allowed to participate in more than fifteen rounds within twenty-four consecutive hours The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of fifteen rounds At each boxing or sparring match or exhibition there shall be in attendance at the expense of the corporation or person a duty licensed referee who shall direct and control the same Before starting such contest the referee shall ascertain from each contestant the name of his chief second and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest The referee shall have the power in his discretion to order held any remuneration or purse belonging to the contestants or one of them if in his judgment such contestant or contestants are not honestly competing This purse or remuneration shall be turned over to the commission and the contestant or contestants shall be given a hearing at the next stated meeting of the commission when final disposition of such purse or remuneration shall be made Any remuneration or purse or part thereof forfeited by the commission shall be paid into the State Treasury for the use of the Commonwealth There shall also be in attendance at the expense of the corporation or person two duly licensed judges who shall at the termination of each such boxing or sparring match or exhibition render their decision If they are unable to agree [the decision shall be rendered by] the referee shall cast his vote and all three votes shall be considered together to arrive at

the decision but unless one of the participants receives two of the three votes so cast then the match shall be declared a draw Each contestant shall wear during such contest gloves weighing not less than five ounces if such contestant is a lightweight or in a class of less weight and six ounces if such contestant is in a class heavier than the lightweight class

Section 4 Section fifteen of the said act is hereby amended to read as follows

Section 15 Any license herein provided for may be revoked or suspended after hearing by the commission for the reason therein stated that the licensee has in the judgment of the said commission been guilty of an act detrimental to the interests of boxing or wrestling However the commission in its discretion may fix a fine or fines which if paid can be accepted in lieu of any revocation or suspension of permit

Section 5 Section sixteen of the said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred twenty-nine (P. L. 860) and further amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1698) is hereby further amended to read as follows

Section 16 Before a license shall be granted to a promoter partnership corporation or person such promoter partnership corporation or person shall execute and file with the commission a bond in such sum as shall be determined by the commission but not less than three thousand dollars All such bonds shall be in a form adopted and supplied by the commission and shall be approved as to form and sufficiency or sureties thereon by the commission and the Department of Justice and shall be conditioned for the faithful performance by said promoter partnership corporation or person of the provisions of this act and the rules and regulations of the commission With each bond filed there shall be paid to the commission a filing fee of ten dollars ($10.00) No such license shall be issued until such bond is approved and filed and the filing fee paid In case of default in the performance of any of the conditions prescribed by this act or by the rules and regulations of the commission the commission shall impose upon the delinquent promoter partnership corporation or person a penalty in the sum of not more than the amount of the bond for each offense which shall be recovered by the Attorney General in the name of the Commonwealth in the same manner as other penalties are recovered by law Any amount so recovered shall be paid to the State Treasurer for the use of the Commonwealth Funds due contestants managers or officials shall be recovered on the bond paid into the General Fund and such contestants managers or officials shall be reimbursed by vouchers presented in the usual way against the funds appropriated to the State Athletic Commission

The failure on the part of any promoter upon postponement cancellation or default of any scheduled match to reimburse holders of tickets who have paid full purchase price thereof within ten days from the date of the original scheduled match shall be sufficient cause to warrant a forfeiture of the bond and imposition of penalty by the State Athletic Commission as hereinbefore provided From such fund realized on any such bond ticket purchase price refunds may be made on the order of the State Athletic Commission to persons who are purchasers at full face value of tickets issued by the promoter whose bond has thus been forfeited No person who has purchased tickets at less than full face value or persons receiving complimentary tickets shall receive any ticket purchase refund

Section 6 Section seventeen of the said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred twenty-nine (P. L. 860) further amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 658) further amended by the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 551) further amended by the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1084) and further amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1698) is hereby further amended to read as follows

Section 17 Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Promoters partnerships corporations or persons in cities of the first class where the building or structure has a seating capacity of two thousand or less one hundred dollars where the seating capacity is from two thousand and one to five thousand one hundred and fifty dollars where the seating capacity is five thousand and one or more two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians twenty-five dollars referees twenty-five dollars judges fifteen dollars timekeepers ten dollars professional boxers five dollars professional wrestlers ten dollars managers twenty-five dollars seconds ten dollars announcers fifteen dollars and matchmakers twenty-five dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches or exhibitions between amateurs and only without receiving any compensation for their services Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions or for a period not exceeding one year

Permits for amateur boxing exhibitions or wrestling matches shall not be issued to any person or persons when such exhibitions or matches are conducted for individual profit

Permits for amateur boxing exhibitions or wresting matches shall be issued only to bona fide amateur athletic associations as approved by the commission

A minimum purse of [twelve dollars and fifty cents ($12.50)] twenty-five ($25.00) dollars shall be paid by the promoter to each professional boxer for each bout in which such boxer is engaged

Section 7 Section twenty of the said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred twenty-nine (P. L. 860) is hereby further amended to read as follows

Section 20 No contestant shall be paid [for services] before the contest and should it be determined by the commission that contestant did not give an honest exhibition of his skill such services shall not be paid for However if the commission approve partial payments on account may be made to any contestant before the contest and in the event that it should be determined by the commission that such contestant did not give an honest exhibition of his skill all amounts so paid to such contestant shall become due and payable to the commission and may be recovered by the commission as in the case of debts due the Commonwealth

Section 8 This act shall become effective the first day of July one thousand nine hundred forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Root,
Barton,	Gallagher,	Madigan,	Rose,
Baumunk,	Gardner,	Mahany,	Royer,
Bentley,	Getchey,	Matthews,	Rudisill,
Bentzel,	Gibson,	McAtee,	Salus,
Boies,	Goodling,	McClester,	Scanlon,
Bonawitz,	Gore,	McCormack,	Riley,

Boney,	Grant,	McDowell,	Robertson,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Lopez,	Regan,	Fiss,
Freed,	Longo,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 218.

An Act to reenact and amend the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 68) entitled "An act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties" extending its provisions to counties of the fourth fifth sixth seventh and eighth class and conferring powers and imposing duties on county engineers.

Referred to the Committee on Counties.

SENATE BILL No. 664.

An Act providing for the construction of a museum building and the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of lands adjacent to the Bushy Run Battlefield State Park and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 767.

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways, authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," as amended by changing Route 52043 in Potter County.

Referred to the Committee on Highways.

SENATE BILL No. 531.

An Act to further amend section five hundred two and section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the County Planning Commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

Referred to the Committee on Counties.

SENATE BILL No. 768.

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commission two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway

Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Comomnwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

Referred to the Committee on Highways.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 62

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissinoners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels providing for the payment thereof into the Motor License Fund and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, in last line thereof by inserting after the word "conditions" the following: "making an appropriation to the Joint State Government Commission for certain purposes and imposing duties on the Department of Highways".

Amend Section 1, page 3, line 22, by striking out after the word "effective" the following: "June first nineteen hundred forty-five"; also on page 6, line 3, by inserting after the word "the" the following: "[State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund]"; also in line 5, by inserting after the word "appropriations" the following; "for the two calendar years beginning the first day of January one thousand nine hundred forty-six"; also in same line by inserting after the word "purposes" the following: "and in the manner as"; also on page 6, line 6, by striking out the following: "[eight" and inserting in lieu thereof as a paragraph "Eight"

Amend Sec. 1, (Sec. 10), page 6, line 26, by striking out the words "] One cent per".

Amend Sec. 1 (Sec. 10), page 7, lines 1 to 17, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 10), page 7, line 20, by striking out the word "annually".

Amend Sec. 1 (Sec. 10), page 7, line 26, by inserting after the word "money" so appropriated allocated and apportioned herein from.

Amend Sec. 1, (Sec. 10), page 7, line 26, by striking out the words "so paid into"

Amend Sec. 1, (Sec. 10), page 7, line 27, by striking out the words "from time to time"

Amend Sec. 1 (Sec. 10), page 8, line 2, by striking out the word "town" and inserting in lieu thereof "towns."

Amend page 10 by inserting between lines 4 and 5 the following:

Section 2. (a) The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary, is hereby specifically appropriated out of the Motor License Fund to the Joint State Government Commission, for the purpose of making a thorough investigation and impartial study in order to determine the relative responsibilities and burdens which should, in equity, be placed on the Commonwealth and on political subdivisions in respect to financing the cost of the construction, reconstruction and maintenance of the highways of the Commonwealth, including all State and local highways, the amount of State-aid for highway purposes which should be granted by the Commonwealth to political subdivisions for highway purposes, and generally to develop a sound and scientific financial highway program for the Commonwealth and its political subdivisions.

(b) The said Commission shall make a full and complete report of its findings and recommendations to the next regular session of the General Assembly, not later than the first day of March, one thousand nine hundred forty-seven, together with such drafts of legislation as may be necessary to carry out its recommendations.

Amend page 10 by striking out all of lines five and six and inserting in lieu thereof the following:

Section 3. This act shall become effective on the first day of June one thousand nine hundred and forty-five.

On the question,

Will the House concur in the amendment made by the Senate?

Mr. LLOYD H. WOOD. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 62, Messrs. Lloyd H. Wood, Royer and O'Neill.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the

House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 465.

An Act to further amend section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "vehicle"

SENATE BILL No. 459.

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments and for certain felonies committed by certain persons

SENATE BILL No. 732.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating in the Department of Welfare boards of trustees for certain penal correctional and delinquent defective institutions defining their powers and duties and changing the powers and duties of certain other penal correctional and defective delinquent institutions

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 374.

An Act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act.

SENATE BILL No. 248.

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties

SENATE BILL No. 607.

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second second class A and third classes boroughs and townships shall be for six years" by extending the terms of constables hereafter elected in incorporated towns to six years.

SENATE BILL No. 644.

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of assembly" providing for the payment of interest in certain claims

SENATE BILL No. 621.

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the employment dismissal suspension demotion and retirement of professional employes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 102.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor and Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

SENATE BILL No. 385.

An Act to amend paragraph two of subdivision (b) and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-

one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property

SENATE BILL No. 483.

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 119.

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by inserting after the word "rests" the words: "not to exceed sixty-seven."

Amend Section 2, page 2, line 9, by inserting after the word "rests" the following: "The cost of planning acquisition construction and erection of any one rest shall not exceed twenty-five hundred dollars ($2500)"

Amend Section 2, page 2, line 14, by inserting after the word "highways" the following: "When and if such easements rights of way and other rights in real estate are acquired they shall become part of the highway route on which they are located or to which they are adjacent."

Amend Section 5, page 3, line 2, by inserting after the word "purpose" the following: "not to exceed one hundred-fifty thousand dollars ($150,000)."

On the question,

Will the House concur in the amendmetns made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Welsh,
Dye,	Kurtz,	Pickens,	Weiss,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss, Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 171.

An Act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, in last line, by inserting after the word "Instruation" the following: "and making an appropriation."

Amend Section 14, page 7, line 13, by inserting after the

syllable "aminers" the following: "school districts of the first second and third class and" also in same line by inserting after the word "examiners" the following: "in fourth class school districts"; also in line 21, by striking out after the word "the" the following: "medical and dental examiners have been paid at the rate established in the manner prescribed in this section" and inserting in lieu thereof the following: "funds receivable under the provisions of this act have been paid to medical and dental examiners nurses and dental hygienists or other assistants for the purposes of the act"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	McNair,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 577.

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation of big game requiring report of such killing and providing penalties

SENATE BILL No. 616.

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work

SENATE BILL No. 684.

An Act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 183, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendment:

Amend Sec. 2, page 2, line 2, by striking out the words "Bituminous Coal Open Pit," and inserting in lieu thereof: "Open Pit or Strip."

On the question,

Will the House agree to the amendment?

Mr. BONEY. Mr. Speaker, ladies and gentlemen of this House, the purpose of this amendment is to make this bill apply to the anthracite region the same as the bill as it is written now applies to the bituminous section. We feel that this bill discriminates against a section that is just as severely affected by strip mining as the western bituminous section of this State.

To be brief, Mr. Speaker, as I said previously, the only

object that our amendments would accomplish is to extend the same relief to the anthracite region as was intended by this bill to extend to the bituminous region.

Mr. LICHTENWALTER. I rise to oppose these amendments, Mr. Speaker. After all, I understand and have seen first hand many of the strip mining operations in the hard coal region and also the soft coal region, and I know that there are many gentlemen from both hard and soft coal regions. There is a great deal of difference in the type of stripping and the way the land was left after the stripping was done. Also here in Pennsylvania we distinguish between the operation of hard and soft coal in that we have two different coal operations in Pennsylvania, one for the hard coal region and one for the mining of bituminous coal. Therefore, Mr. Speaker, I see no reason at this time after the thorough study that has been made by both sides of the House of this subject, that these amendments should be inserted in the bill.

Mr. BONEY. Mr. Speaker, personally I see no reason why anybody should object to these amendments because after all we are just as much a part of Pennsylvania as the people in the western part of the State. Our people are vitally affected by this strip mining.

Last week, or two weeks ago, during the occasion of my visit home I was contacted by one of my neighbors who told me that they all had received a notice that they along with fifty other families occupying about thirty homes, must vacate because it was the intention of the company which owned the property to dismantle them and eventually tear them down. Now, we have no objection to that, because after all the property is owned by these people and they have the right to do as they please with it, but if we have no control over it this practice eventually will mean that these towns will be wiped out. We have endeavored many time to get bills out of committee that would give some relief to our section, but it has been impossible. The only procedure we could see that we could follow, was to amend this bill to take the anthracite region along with it.

The thing is, as I said before, it appears like discrimination to me. We are a part of this state the same as any other section of the state. We should be recognized and we should be extended some relief, and I ask all of you ladies and gentlemen of the House to vote for these amendments.

Mr. BRICE. Mr. Speaker, I desire to interrogate the gentleman from Luzerne, Mr. Boney.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. BONEY. I shall, Mr. Speaker.

Mr. BRICE. Mr. Speaker, is it not a fact in the stripping in the hard coal region you people have been going one hundred fifty feet deep in order to get that which ordinarily would be reached at forty-five or fifty feet? Now, were are you going to get the dirt to fill up those holes?

Mr. BONEY. Is the gentleman acquainted with the eastern part of Pennsylvania? There are mountains of dirt available that are easily accessible. In my opinion and from my experience that would not be any problem whatsoever.

Mr. BRICE. I was born and raised in the hard coal region, Mr. Speaker. I have seen the stripping and I have seen the holes left when hard coal is taken out. It would take years to fill up those holes.

Mr. BONEY. Personally, Mr. Speaker, I am surrounded by them; I see them every day, I observe them, and personally I do not think that would be any problem at all. I believe that the gentleman who lives in that particular neighborhood would agree entirely with my statement.

Mr. BRICE. I am not against filling the holes, but I am just wondering where they will get sufficient dirt to fill those holes.

Mr. BONEY. Mr. Speaker, if any of you would travel through the anthracite region you would see large numbers of refuse and dirt banks, slate and rock, throughout the entire anthracite region.

Mr. BRICE. With the setup that they have in the antracite region it would advance the cost of getting the coal out twenty-five to fifty percent.

Mr. BONEY. Personally I would not be able to answer that part of it.

The yeas and nays were required by Mr. Boney and Mr. White.

Messrs. Elish, Boney and Martin L. Murray asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—73

Andrews,	Heatherington,	Mills,	Polen,
Baker,	Hering,	Modell,	Reese, R. E.,
Barrett,	Herman,	Mooney,	Reidenbach,
Bentzel,	Hunter,	Moore, W. J.,	Reynolds,
Boney,	Jones,	Moran,	Rudisill,
Boory,	Kirley,	Munley,	Schuster,
Brunner, P. A.,	Kolankiewicz,	Murray, M. L.,	Shaffer,
Chervenak,	Komorofski,	Myhan,	Skale,
Chudoff,	Lane,	Nagel,	Snider,
Cohen,	Leonard,	O'Brien,	Stank,
Cullen,	Lopez,	O'Connor,	Swope,
Elish,	Lovett,	O'Donnell,	Tate,
Flack,	Matthews,	O'Neill,	Trent,
Gaffney,	McLanahan,	Owens,	Weiss,
Gallagher,	McNair,	Pentrack,	Welsh,
Gore,	McNally,	Petrosky,	White,
Grant,	Mihm,	Pettigrew,	Wright,
Haberlen,	Mikula,	Polaski,	Yester,
Hamilton,			

NAYS—99

Barton,	Getchey,	Loftus,	Salus,
Bonawitz,	Gibson,	Lyons,	Serrill,
Boorse,	Goodling,	Madden,	Shoemaker,
Bower,	Green,	Madigan,	Sloan,
Breisch,	Greer,	Mahany,	Smith,
Brice,	Guthrie,	McAtee,	Snyder,
Brunner, C. H.,	Gyger,	McClester,	Sollenberger,
Cadwalader,	Hall,	McDowell,	Sorg,
Coleman,	Haudenshield,	McKinney,	Stockham,
Cooper,	Helm,	McMillen,	Stonier,
Coulson,	Hennihan,	Miller,	Stuart,
Dague,	Hersch,	Milliken,	Tahl,
Dalrymple,	Hewitt,	Moser,	Turbett,
Dennison,	Hoffman,	Murray, P. G.,	Turner,
Dix,	Hoopes,	Nelson,	Wachhaus,
Dye,	Howells,	O'Dare,	Wagner,
Elder,	Huntley,	Pickens,	Waterhouse,
Erb,	James,	Propert,	Watkins,
Ewing,	Kline,	Reagan,	Wescott,
Fleming,	Krise,	Reese, D. P.,	Wood, L. H.,
Foor,	Kurtz,	Reilly,	Wood, N.,
Fox,	Laughner,	Riley,	Worley,
Freed,	Lee,	Robertson,	Yeakel,
Frost,	Leisey,	Root,	Fiss,
Fullerton,	Lichtenwalter,	Royer,	Speaker.

NOT VOTING—35

Baumunk,	Costa,	Hare,	Regan,
Bentley,	Coyle,	Hoggard,	Rose,

Boies,	Depuy,	Kennedy,	Scanlon,
Brancato,	Dillon,	Levy,	Tittle,
Brothers,	Dougherty,	Longo,	Trachtman,
Brown,	Duffy,	McCormack,	Trout,
Burns,	Finnerty,	Moore, C. E.,	Varallo,
Cook,	Gardner,	Powers,	Verona,
Corrigan,	Greenwood,	Readinger,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Sec. 3, page 2, line 7, by inserting after the word "mining": or "strip mining".

Amend Sec. 3, page 2, line 8, by inserting after the word "of": anthracite or.

Amend Sec. 3, page 2, line 11, by inserting after the word "where": anthracite or.

Amend Sec. 3, page 2, line 17, by inserting after the word "pit": or strip.

Amend Sec. 3, page 2, line 21, by inserting after the word "pit": or strip.

Amend Sec. 3, page 2, line 29, by striking out the word "a", and inserting in lieu thereof: an anthracite or.

Amend Sec. 3, page 3, line 4, by inserting after the word "pit": or strip.

Amend Sec. 3, page 3, by inserting between lines 7 and 8: "Secretary" shall mean the Secretary of Mines.

They were not agreed to.

The section was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Sec. 4, page 3, lines 19 to 29, both inclusive, by striking out all of said lines.

Amend Sec. 4, page 4, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 4, page 5, lines 1, 2 and 3, by striking out all of lines 1 and 2, and the words "ties designated by the operator" in line 3, and inserting in lieu thereof: as hereinafter required.

They were not agreed to.

The section was agreed to.

The fifth, sixth, seventh, eighth, ninth and tenth sections were separately read and agreed to.

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments, inserting new sections:

Amend the bill, page 7, by inserting between lines 28 and 29:

Section 11. Any operator desiring to engage in commercial strip mining of anthracite coal shall make written application to the Secretary for a separate permit for each pit wherein he proposes so to engage. Application for such permit shall be made upon the form furnished by the Secretary which form shall require a statement showing the location in the township and county in which the pit is located, the approximate number of acres of coal that will be mined annually, and the approximate date upon which mining operations shall commence. Such application shall be accompanied by an annual fee as follows: For less than twenty-five (25) acres to be stripped in one (1) year, an annual fee of twenty-five dollars ($25.00), for twenty-five (25) acres or more, but less than fifty (50) acres to be stripped in one (1) year, an annual fee of fifty dollars ($50.00), for fifty (50) acres and over to be stripped in one (1) year, an annual fee of seventy-five dollars ($75.00). Such application together with the proper fee shall also be accompanied by a bond as hereinafter required. Upon receipt of such application fee and bond, the Secretary shall issue a permit to the applicant which shall entitle him to engage thereafter in commercial strip mining at the general location of the pit described in said permit for the year beginning the first day of July, and ending the thirtieth day of June of the following year. Each permit shall be renewed each year by the Secretary upon receipt by him of the required annual fee so long as the operator complies with the provisions of this act.

Section 12. Every operator to whom a permit is issued shall submit to the Secretary in duplicate on or before the first day of September annually, a map in form approved by the Secretary, setting forth the location in the township and county with such other description as will identify the land from which the operator removed coal by the strip mining method during the preceding permit year, with a legend upon such map showing the number of acres affected by such mining operations, and said operator shall submit to the Secretary, in duplicate, on or before the first day of September annually, a map in a form approved by the Secretary, setting forth the location in the township and county, with such other description as will identify that land stripped prior to the effective date of this act, which land the operator is required to restore in the amount, and at such time, as in this act provided. The accuracy of the acreage shown upon the map may be checked by the Secretary, and if found to be erroneous, it shall be corrected by the operator and a new map furnished as required by the Secretary.

Section 13. Any person engaged in "strip" mining in which the soil over or covering any bed or strata of anthracite coal is removed shall spread such soil so that the contour of the land is approximately the same as before the mining operation was begun. Such levelling operations shall be done progressively following the opening of each new open pit or strip, and shall be done to all pits opened within two years preceding the effective date of this act, so that no more than three spoil ridges shall be left unlevelled behind the actively used open cut for coal removal. When the mining of coal on any tract of land is completed, the remaining spoil ridges shall be levelled by the operator before leaving the tract with his or its machinery used for that purpose: Provided, however, That the operator shall not be required to totally fill the last open cut where the adjacent spoil ridge will not fill such cut.

Section 14. Any unexpired permit shall be effective so long only as the operator shall possess the legal right and power by legal estate owned to mine anthracite coal from the land described in said permit. All right of the Secretary to require improvements shall terminate within six (6) years after the end of the permit year in which strip mining was completed upon said land, unless he shall, before the end of said period, have served upon the operator written directions to make such improvements. The Secretary shall release from the effect of this statute, either by reason of compliance or limitation of time, all or any part of the land affected by filing with the recorder of the county in which said land is located, a written release in form prepared by the Secretary.

Section 15. In addition to the duties and powers of the Secretary heretofore enacted, he shall grant, refuse, modify, revoke or cancel permits in accordance with the provisions of this act, and generally shall have full power and authority to carry out and administer the provisions of this act, including the power to promulgate rules and regulations in conformity therewith.

The operator shall have the right to continue to operate under the said permit pending the final decision of the Secretary on the hearing for the revocation of such per-

mit, and if an appeal is taken, then until the final decision of such appeal.

All costs of hearing trials and appeals herein provided for shall be taxed as costs are taxed in other civil actions. Where costs are taxed against the Secretary, they shall be paid from the funds provided for the Department of Mines.

Section 16. No permit shall be cancelled or revoked by the Secretary until after a hearing on written charges has been had before the Secretary after not less than fifteen (15) days' written notice, fixing date and place of such hearing has been given to such operator.

Section 17. Contemporaneously with and as a condition precedent to registration under the provisions of section four of this act, or the issuance of a permit under section fifteen of this act, there shall be filed by the operator with the Secretary, a bond payable to the Commonwealth of Pennsylvania, conditioned that the operator shall faithfully perform all requirements of this act, and comply with all rules of the Department made in accordance with the provisions of this act that are applicable to the type of mining for which registration is made or a permit is issued. Such bond shall be signed by the operator as principal and by a corporate or individual surety approved by the Secretary. The penalty of such bond shall be not less than two thousand dollars ($2,000), and such additional amount as will equal four hundred dollars ($400) for each acre or portion thereof of land in excess of five (5) acres proposed thereafter by the operator to be subjected to commercial open pit or strip mining for the ensuing permit year. The penalty of the bond shall from time to time be increased or reduced by the Secretary pro tanto in accordance with the number of acres added to the land for open pit or strip mining operations or in accordance with the determined cost of such leveling or other required work from time to time or in accordance with the number of acres to which the bond is no longer operative because of operator's withdrawal of acreage from operations or by reason of his performance of his obligations, subsequent to registration or the issuance of the permit. Any operator may execute the bond without surety if he shall deposit with the Secretary cash in the amount of two hundred dollars ($200) for each acre of land proposed by him to be mined in the next succeeding period of three (3) months and the registration or permit issued therefor shall be limited to the number of acres for which the deposit is made, but may be increased later by the Secretary on receipt of additional deposits of two hundred dollars ($200) for each additional acre proposed to be mined. Such deposits shall be retained by the Secretary in a special account as a guaranty by the operator for the faithful performance of his bond. Should the operator fail to carry out the provisions of this act that are applicable to the type of mining for which registration is made or a permit is issued, the Secretary may procure suck work to be performed and may use the fund so deposited by such operator to pay for such work or may institute suit on the bond to pay therefor. The Secretary shall release any bond and shall repay any deposits no longer necessary to be retained for the purpose of this act, upon a showing by operator that the provisions of this act, with respect to the acreage covered by such bond or deposit, have been complied with.

They were not agreed to.

The section was agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 11, page 7, line 29, by striking out the figure "11", and inserting in lieu thereof: 18.

Amend Section 11, page 8, line 1, by striking out the word "mining", and inserting in lieu thereof: or strip mining anthracite or bituminous coal.

They were not agreed to.

The section was agreed to.

The twelfth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendment:

Amend Section 12, page 8, line 16, by striking out the figure "12", and inserting in lieu thereof: 19.

It was not agreed to.

The section was agreed to.

The thirteenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendment:

Amend Section 13, page 9, line 19, by striking out the figure "13" and inserting in lieu thereof: 20.

It was not agreed to.

The section was agreed to.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 14, page 9, line 26, by striking out the figure "14", and inserting in lieu thereof: 21.

Amend Section 14, page 10, lines 3 and 4, by striking out the words "notwithstanding the operator may have registered as required by section four of this act."

They were not agreed to.

The section was agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 15, page 11, line 9, by striking out the figure "15", and inserting in lieu thereof: 22.

Amend Section 15, page 11, line 22, by striking out the words "Bituminous Coal."

Amend Section 15, page 11, line 22, by inserting after the word "Pit": or strip.

They were not agreed to.

The section was agreed to.

The sixteenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 16, page 11, line 29, by striking out the figure "16", and inserting in lieu thereof: 23.

Amend Section 16, page 11, line 29 and page 12, line 1, by striking out the word "bituminous".

Amend Section 16, page 12, line 1, by inserting after the word "pit". or strip.

Amend Section 16, page 12, line 2, by striking out the words "registered as herein provided", and inserting in lieu thereof: complied with the provisions of this act applicable to the type of mining undertaken.

They were not agreed to.

The section was agreed to.

The seventeenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendment:

Amend Section 17, page 12, line 7, by striking out the figure "17", and inserting in lieu thereof: 24.

It was not agreed to.

The section was agreed to.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 18, page 12, line 11, by striking out the figure "18", and inserting in lieu thereof: 25.

Amend Section 18, page 12, line 12, by inserting after the word "registration": and permit.

They were not agreed to.

The section was agreed to.

The nineteenth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 19, page 13, line 1, by striking out the figure "19", and inserting in lieu thereof: 26.

Amend Section 19, page 13, line 24, by inserting after the word "of": anthracite or

Amend Section 19, page 14, line 2, by inserting after the word "pit": or strip.

They were not agreed to.

The section was agreed to.

The twentieth section was read.

On the question,

Will the House agree to the section?

Messrs. BONEY and MARTIN L. MURRAY offered the following amendments:

Amend Section 20, page 14, line 3, by striking out the figure "20", and inserting in lieu thereof: 27.

Amend Section 20, page 14, line 7, by striking out the words "specifications and", and inserting in lieu thereof: and specifications or apply for a permit and to file his

They were not agreed to.

The section was agreed to.

The title was read.

Mr. BONEY. Mr. Speaker we withdraw our amendments to the title.

On the question,

Will the House agree to the title?

Mr. HEWITT offered the following amendment:

Amend the title on page 1 by adding at the end of said title the following: regulating such mining and providing penalties.

They were agreed to.

The title was agreed to as amended.

On the question,

Will the House agree to the bill on second reading as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

INTERROGATION

Mr. PETROSKY. Mr. Speaker, I desire to interrogate the Chairman of the Committee on Mines and Mining before agreeing to the bill on second reading.

The SPEAKER. The bill has been agreed to on second reading. Would the gentleman be satisfied to make the interrogation on third reading?

Mr. PETROSKY. No, Mr. Speaker, I would like to be clear on this bill before third reading. I had stepped up to the microphone before the bill was agreed to but it was not turned on, and no doubt the Speaker did not hear me.

The SPEAKER. Will the House give its unanimous consent to the interrogation? Is there objection? The Chair hears none, and consent is granted.

Will the gentleman from Indiana, Mr. Hewitt, permit himself to be interrogated

Mr. HEWITT. I shall, Mr. Speaker.

Mr. PETROSKY. I desire to know from the gentleman from Indiana, Mr. Hewitt, as to whether or not recommendations in his bill, or rather the nucleus of this bill on strip mining, as to whether or not these are the recommendations of the Governor of the Commonwealth?

Mr. HEWITT. This bill as it is drawn today and amended is the agreement of all parties on strip mining in the bituminous fields.

Mr. PETROSKY. Will the gentleman tell me as to whether or not the Governor of the Commonwealth had recommended to the legislative bodies a recommendation that there be included in the bill a provision whereby five hundred dollars per acre for the first ten acres and two hundred fifty dollars per acre for the acreage thereafter be used as a basis of depositing funds in order to rehabilitate the land whereupon the stripping occurred?

Mr. HEWITT. Mr. Speaker, in answer to the gentleman from Westmoreland, I want to say that in a conference with the Governor and all parties interested the five hundred dollar fee for the first ten acres was first talked of, and two hundred fifty dollars for the succeeding acres after the first ten, but after talking the thing over with the Governor and the parties interested, and pleading for something reasonable that will not put the small operator out of business, and to keep the bituminous coal rolling for the war effort, it was agreed upon that the bond was too heavy for the small man, which would mean a minimum bond of five thousand dollars and another five thousand dollars for the next twenty-five acres.

Mr. PETROSKY. Mr. Speaker, I desire to inquire further from the gentleman from Indiana, Mr. Hewitt, as to who were the interested parties that were present at the conference that agreed upon this nominal sum that is included in Senate Bill No. 183 Printer's No. 578?

Mr. HEWITT. The interested parties, Mr. Speaker, were representatives of the Governor, the Secretary of Mines and some of the people in the coal industry. That is, all bills were discussed with the people whose business was affected.

Mr. PETROSKY. I desire to inquire further of the gentleman from Indiana, whether the public is interested in such a piece of legislation or not in his opinion.

Mr. HEWITT. The public is very much interested in strip legislation, Mr. Speaker. The public has been led away by the unsightly strip piles and loses sight of the

fact that strip mining in the State has been the salvation of our war efforts. We have tried to convince the public that we had better save this country before we beautify it, and we tried to convince them that we have strip holes instead of shell holes, for that reason when it came from the Senate we raised it to two hundred dollars.

For the information of the House I would like to say that the two hundred dollar bond per acre is sufficient to round off the spoil piles and plant it at the discretion of the Department of Forests and Waters. The bond is ample for all that the bill calls for.

Mr. PETROSKY. Mr. Speaker, I desire to know from the gentleman from Indiana as to whether or not the representatives of the public were invited into the conference with the interested parties on strip mining legislation?

Mr. HEWITT. I represent the public, Mr. Speaker. I am a Member of this House from a coal strip mining county.

Mr. PETROSKY. Mr. Speaker, I certainly will not get into personalities in this interrogation at this late date of the session, but I would like to ask the gentleman from Indiana, Mr. Hewitt, as to whether or not he has delved into the cost of covering the excavations made in coal strip mining areas?

Mr. HEWITT. Mr. Speaker, we have figured it out that the two hundred dollar bond is sufficient for that purpose . . . will the gentleman from Westmoreland repeat the question?

Mr. PETROSKY. Mr. Speaker, I asked the gentleman from Indiana, Mr. Hewitt, as to whether or net he had delved into the cost of rehabilitation of the land in coal strip mining insofar as any project which has already been taken care of similar to what the provisions of the bill call for, or likewise insofar as rehabilitating the land completely for future agricultural purposes.

Mr. HEWITT. Mr. Speaker, I wish to state to the gentleman from Westmoreland and for the benefit of the Members of the House how that was done. This is not a refill piece of legislation. We have all kinds of information, the best kind of engineering in the State interested in the proposition, and it is estimated that it will cost from thirty-six to thirty-seven hundred dollars an acre in the bituminous coal area in this State. For that reason a back-fill proposition is impossible at this time if we are to continue producing coal to promote the war effort.

Mr. PETROSKY. I would just like to ask the gentleman from Indiana as to whether or not he owns any land in Indiana County.

Mr. HEWITT. Well, Mr. Speaker, I do not own any coal lands.

Mr. PETROSKY. Does the gentleman own any land in Indiana County?

Mr. HEWITT. I don't own any coal land, Mr. Speaker; no coal land.

Mr. PETROSKY. Are there any lands that the gentleman owns being stripped?

Mr. HEWITT. No, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I think the matter that is before us at the present time certainly is a piece of legislation that is very important to the people of the Commonwealth, especially so today. I know that the provisions in this measure before us are very lax, and I must say from my understanding of the earnings of the stripping operators in western Pennsylvania—the Pittsburgh-Connellsville area and the other large veins of coal that we have—the moneys that are made in profits from these stripping operations are, if I could use the term, enormous profits per acre.

This bill is certainly inadequate. The Governor has made public recommendations regarding strip mining legislation and has asked for a bill wherein the provisions would state that the operator would have to place bond for five hundred dollars per acre for the first ten acres and two hundred fifty dollars per acre thereafter. Those recommendations are honestly a minimum for a rehabilitation of the land that is being torn asunder by the strip mining operations.

May I cite to the Membership of the House an example of strip mining operation that has been made about a half mile north of the small borough of Delmont in Westmoreland County? There was one and a quarter acres of land stripped, and by agreement of the owner of the land upon leasing the coal for stripping, I found through him that he had bargained with the stripping operator for paying fifty per cent of the expenses incurred in covering that operation to the extent that the land could be rehabilitated. When I ask for rehabilitation of the land I take the position that we as a state and as a nation must take our rightful place in this world after the war as an agricultural nation as well as an industrial nation. The rehabilitation of the land on this project that I mentioned cost the farmer who leased the land four hundred dollars, which was fifty per cent of the cost of coverage in order to again use that land for agricultural purposes.

While I am on this point, Mr. Speaker, I would like to say to the gentleman that his argument has been voiced in the papers in every discussion that was had on this matter as to the five hundred dollars an acre. They are asking two hundred dollars an acre for coverage, may I say that the land can be made productive by good and proper coverage and by rehabilitation of the land by proper processes such as farmers use, and the agricultural purposes that it is to be used for will pay many, many times the five hundred dollars that the Governor first recommended.

I say to you that I do not believe the public was taken into the conference in order to discuss this legislation, and since the public is interested I feel that the bill before us has inadequate provisions to cover the matter which it attempts to cover. I feel that the bill should be passed over and held up until such time as the recommendations of the Governor of three weeks ago are inserted in the bill. If the majority side of the House of Representatives feels that the Governor was not sincere in his recommendation he made three weeks ago, then we can let the matter rest and let the responsibility rest upon the shoulders of the majority party for not passing a proper an adequate bill to take care of the matter at this time.

RECONSIDERATION OF SENATE BILL No. 641

Mr. O'BRIEN. Mr. Speaker, I move that the vote be reconsidered by which Senate Bill No. 641, Printer's No. 483, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilege of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries,

was defeated on Final Passage in the House on May 3rd, be reconsidered.

Mr. WACHHAUS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. OBrien vote on the final passage of this bill?

Mr. O'BRIEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Schuylkill, Mr. Wachhaus, vote on the final passage of this bill?

Mr. WACHHAUS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. BROWN. Mr. Speaker, were we not on the question of debate on the strip mining bill just a second ago, before the gentleman from Philadelphia, Mr. O'Brien, got the floor?

The SPEAKER. The gentleman was speaking by unanimous consent. The bill had passed second reading.

Mr. BROWN. Another parliamentary inquiry, Mr. Speaker, if a bill that has been defeated is reconsidered, can final action on that bill be taken before the bill is printed and placed on the calendar?

The SPEAKER. If the vote by which a bill was defeated is reconsidered, the question recurs on the final passage of the bill.

Mr. BROWN. Mr. Speaker, we would ordinarily go along with any motion to reconsider. I think that is proper, and I have followed that procedure during my career here in the House, but there is something unsavory and something that should be looked into in this matter we are discussing at this present time.

Ordinarily when a bill is defeated and reconsideration is asked for, generally there is some attempt to get together on the bill, to find out what the differences are and to use some degree of courtesy toward those who oppose the bill in the matter of reconsideration.

This bill or course was a bad bill last night; it is a bad bill tonight, and the proponents of the bill know it. No attempt has been made to iron out any of the differences that caused the defeat of the bill last night. This motion to reconsider is simply made as a power motion to push this legislation through this House in the dying hours of the session. I think under those circumstances this motion to reconsider should be defeated, and I ask the Members of the House to vote against it.

Mr. ROSE. Mr. Speaker, I find myself in a rather anomalous position tonight. I do not believe that my distinguished colleague, Mr. Brown and I differed on many pieces of legislation since I have been a Member of this House, but on this particular measure I cannot see that the distinguished gentleman from Allegheny is correct.

QUESTION OF INFORMATION

Mr. BROWN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. BROWN. Mr. Speaker, I believe I see a lobbyist for this bill occupying a seat of a Member. May Members allow lobbyists to occupy their seats?

The SPEAKER. The Chair requests the gentleman to point out the individual.

Mr. BROWN. The gentleman was occupying the seat of the gentleman from Westmoreland, Mr. Weiss. He was even so bold as to come upon the floor of the House and occupy the seat of the Member. I see he has left now.

The SPEAKER. That is against the rules of the House. The Sergeant-at-Arms will see that none but Members occupy the seats of Members.

Mr. ROSE. Mr. Speaker, as I was saying prior to the interruption, the gentleman from Allegheny has indicated that there was something unsavory about this bill. I felt last night when this particular measure was defeated that possibly many of the Members who voted against the bill had not had an opportunity to study it, and Mr. Brown at that time pointed out that there should be further study and further opportunity given to the Members to become acquainted with the proposition. However, all the Members know that this Session of the House is in its last stages and that if action is to be taken on this particular measure it must be taken now. I believe most of the Members who had no information concerning the bill last night have had an opportunity to become acquainted with the measure.

I myself have re-read the measure after hearing the opposition and I cannot for the life of me see anything of an unsavory nature. I believe my reputation in the sessions that I have served in the House indicates that if I

felt anything at all was wrong with this particular amendment I would oppose it, and oppose it vigorously, but in my own humble opinion I think the measure is designed for the welfare of the ordinary individual affected by trust funds, and I ask the Members to support the motion to reconsider.

Mr. GRANT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Rose.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. ROSE. I shall, Mr. Speaker.

Mr. GRANT. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Rose, if the bill in its original form came over here with a provision that one of the legal investments was public authorities?

Mr. ROSE. Mr. Speaker, when the bill passed the House and was committed to the Senate Banking Committee it did not have that particular provision.

Mr. GRANT. I thank the gentleman.

Mr. Speaker, I have no doubt in my mind, and I do not think there is any doubt in the mind of any Member who voted upon this bill last night, what this bill provided for. I rose and said in very simple language all it did was broaden the investment powers and rights of trustees; that is all it did.

Since the bill was defeated last night it is needless for me to say anything other than to remind you of the remark that Mr. Brown made. Since the bill passed a certain gentleman who is very much interested in putting public authorities into the provisions of this act has been over to this side of the House and approached many of the Members over here and many of them have committed themselves to vote to have this bill reconsidered. Like Mr. Brown, I also do not like to rise for the purpose of keeping defeated bills from being reconsidered, because I believe every bill should have an opportunity, the fullest type of an opportunity to go before this House on its merits.

If I would say anything further than I have said now I would be doing a discredit to myself because I think enough has been said, but I appeal to the conscience of every Member of this House on both sides, whether or not this bill has had a fair presentation before the Members of this House. I say to the Members on this side of the House and the other side of the House, that in good conscience, if you have given your word that you will vote for the reconsideration of this bill, you so vote, but in casting your vote for the final passage of the bill let your conscience be your guide as it was last night.

Mr. MAHANY. Mr. Speaker, in the words of the Melancholy Dane in Hamlet, it looks as though there was something rotten in Denmark in relation to this bill. This bill had plenty of debate last night. The fact of the matter is that we spent so much time in debating it that we were late for the fine dinner that the Speaker gave——

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. O'BRIEN. Mr. Speaker, is there anything in the Constitution against reconsideration of a bill? Why has the Speaker permitted all these speeches that are certainly not relevant to the motion at hand, and this wide latitude in connection with the last two speakers. The motion before the House, Mr. Speaker, is the reconsideration of the bill. There is nothing unconstitutional about that. This motion does not have any smell. It is possible under the Constitution.

The SPEAKER. The question on the motion to reconsider is the only question before the House. The members have gone far afield. Will they not please confine their remarks to the question on the motion to reconsider? That is the only question before the House?

Mr. MAHANY. Mr. Speaker, you cannot point out in anything that I have said that I was out of bounds in any way whatsoever. I believe I had only uttered about twenty words when the interruption occurred.

Mr. Speaker, this bill had plenty of debate last evening and there is no reason whatsoever for us to take it up again tonight. In this morning's Harrisburg Telegraph, in an editorial it was pointed out that it was very bad for the Legislature to rush through important measures at the last minute. We have entertained a resolution to adjourn sine die tomorrow and it certainly is bad to bring this thing up again tonight and try to rush it through in the closing minutes of this Legislature. It had its full opportunity last evening. I do not understand why the measures that the gentleman from Delaware is interested in have to have a couple hearings, new trials and so forth. We gave him one on the Judge's Bill. I cannot understand why we must defeat the same bill several times. For that reason I ask the Members to vote down this motion.

Mr. TURNER. Mr. Speaker, the gentlemen who have spoken against reconsideration happen all three to be Members of the bar and I know that they are familiar with something that is a cardinal saying among members of the bar. When a man has no case he always stands before the jury and belabors the opposition attorney.

In twenty years that I have been a Member of this House I recall no piece of legislation on the statute books for which I have voted, and many which I have supported, that has caused one cent of loss or hardship to any person in the Commonwealth. I know of no occasion, Mr. Speaker, in those twenty years when men, two of whom are members of the bar as I am, ever stood upon the floor of this House and at any time directly or indirectly impunged my motives. I do not like and I do not intend to stand here and in any way say anything that could be taken as being in my defense, because I feel that my record needs no defense in the presence of any of the Members of this House, past or present.

The gentleman from Berks, Mr. Grant, last night I thought put the real note into the argument, and the argument then was made by him, and the argument which I think is the one which should prevail is solely this, do you believe that we should broaden the base in reference to legal investments for trust funds. A large number of people——

Mr. ANDREWS. I would suggest that the gentleman from Philadelphia, Mr. O'Brien, remind the gentleman from Delaware, Mr. Turner, that he is not discussing the question on reconsideration.

The SPEAKER. The Chair has requested the Members to confine themselves to the motion to reconsider. Will

all the Members please confine their remarks to that question?

Mr. TURNER. Mr. Speaker, I think I had a perfect right to make my opening statement in view of the remarks that had previously been made. The statement upon which I was proceeding when the gentleman from Cambria interrupted me was on the question of the reconsideration, because I was discussing the measure. The question is whether you want to by this bill broaden the base——

Mr. ANDREWS. Mr. Speaker, I insist that the gentleman is not discussing the matter of reconsideration.

The SPEAKER. Is the gentleman raising a point of order?

POINT OF ORDER

Mr. ANDREWS. I raise the point of order and ask for a ruling, Mr. Speaker.

The SPEAKER. The Chair's decision is that the point of order is well taken. Will the gentleman please confine his remarks to the question on the motion to reconsider?

Mr. TURNER. Mr. Speaker, I shall certainly abide by the ruling of the Chair, as I understand the ruling, even though it seems to me that it is now cutting myself.

I will return again, if I may, to the statement that in asking you to reconsider this bill we feel we are giving the Members of this House an opportunity to vote upon a measure having to do with the question as to whether we will broaden the base of legal investments of trust funds.

It is an important question to the people of Pennsylvania, to thousands of trust estates and to the thousands who have an interest in those trust estates. Therefore we ask the opportunity to have this matter reconsidered in order that the bill may be presented before you and that you may have an opportunity to decide on the question devoid of all other issues.

Mr. McDOWELL. Mr. Speaker, last evening wnen this bill was before us for consideration I purposely did not rise because the debate became so acrimonious that anything I might say would not add anything to the argument.

I stand here as a representative of the small banks of western Pennsylvania, if I can be called that——

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. McDOWELL. I accept the point of order in advance, Mr. Speaker.

The reason why this bill should not be reconsidered is because we who voted against the bill last night are perfectly familiar with the provisions of the Constitution of Pennsylvania, namely that in 1874 the framers of the Constitution felt so strongly about the investment of trust funds that they restricted the investment of those funds solely to government securities, until finally in 1933, by amendments to the Constitution they put in this provision——

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TURNER. The gentleman is not speaking on the motion according to the ruling of the Chair.

The SPEAKER. The point is well taken. Will the gentleman please confine his remarks to the motion to reconsider?

Mr. McDOWELL. All we need to do is to recall the arguments made last night pro and con regarding the merits of this measure to realize that the entire emphasis was placed upon the increased earnings of the cestuis qui trusts and the various types of trusts that we can create in Pennsylvania——

POINT OF ORDER

Mr. TURNER. I certainly regret to raise a point of order on my friend from McKean. I would like to listen to his argument when this bill comes up, but in view of the fact that the Speaker at the request of the gentleman from Cambria ruled on the point as he did, I must raise a point of order.

The SPEAKER. The gentleman will state it.

Mr. TURNER. The gentleman is not now speaking on the motion, he is talking about the bill.

The SPEAKER. The Chair rules that the point of order is well taken. The gentleman will confine himself to the question before the House.

Mr. McDOWELL. Mr. Speaker, the reason why we should not vote to reconsider this bill is, let us not take the trust funds of Pennsylvania closer to the crap game.

PERSONAL PRIVILEGE

Mr. BROWN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BROWN. The gentleman from Delaware, Mr. Turner——

The SPEAKER. Will the gentleman yield? If it is a question of personal privilege it cannot be permitted during the debate on this motion.

Mr. BROWN. I shall withdraw the request then until the motion has been acted upon.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Brown.

Mr. ANDREWS. Mr. Speaker, I, like Mr. Brown believe every now and then on bills of special moment they should be given a new trial, and I agree personally, not upon behalf of this side of the House by any means, but personally, that I would support a motion to reconsider. Had I known at the time I promised that I would vote to reconsider under this outrageous pressure, I would have cut off my right hand before I would have promised to reconsider.

The reason why the motion should not prevail is because direction has been taken out of the hands of this House and placed upon the sidelines. The reason why this motion should not pass, or there should be no reconsideration, is because in all my legislative history I never saw such pressure tactics as have been exercised in connection with this measure. I shall vote as I said I would vote to reconsider, and I shall vote against this bill.

Mr. MORAN. Mr. Speaker, a lot of discussion has taken place on this bill, and in order that the Members of this House may know where I stand, I am going to vote to reconsider, but that does not commit me to vote for this bill or against it. I always vote to reconsider bills to give

people a chance to see whether or not the bill has any merits.

Mr. BROWN. I ask for a roll call.

Mr. PETROSKY. Mr. Speaker, not being in the Hall of the House in time for all the debate on this bill yesterday, and hearing a remark or two upon the floor of the House today until the point of order was raised, I ask permission to interrogate the gentleman from Crawford, Mr. Mahany.

The SPEAKER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I think it is germane to the question before the House now for me to ask the gentleman from Crawford, Mr. Mahany, as to just what is rotten in Denmark or what is rotten in this bill? Whether stated in a newspaper or on the floor, is it not proper to explain what is rotten in a bill, so that we may know just what position to take on reconsideration of the bill?

Mr. HEATHERINGTON. Mr. Speaker, I was not here last night either, but I am not going to sit here tonight and listen to more and more discussion like you listened to last night. We don't know whether the motion will carry or not. Let us call the roll.

Mr. MAHANAY. Mr. Speaker, I should like to answer the gentleman if I may.

The SPEAKER. The Chair is of the opinion that it is not a proper question on a motion to reconsider.

Mr. PETROSKY. Did I understand the Speaker to rule me out of order in asking the question of the gentleman from Crawford, Mr. Mahany?

The SPEAKER. The Chair rules the question out of order.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Brown and Mr. O'Brien.

Messrs. Mahany, Depuy and Hare asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—87

Andrews,	Gore,	McNair,	Rudisill,
Baker,	Grant,	Miller,	Scanlon,
Bentley,	Green,	Milliken,	Shaffer,
Bentzel,	Guthrie,	Moore, W. J.,	Skale,
Boney,	Gyger,	Moran,	Sloan,
Boorse,	Heatherington,	Moser,	Smith,
Bower,	Hennihan,	Munley,	Snyder,
Brancato,	Hersch,	Murray, M. L.,	Sorg,
Brothers,	Hoopes,	O'Brien,	Stank,
Cadwalader,	Hunter,	O'Connor,	Stockham,
Cohen,	Huntley,	O'Dare,	Stonier,
Corrigan,	James,	O'Neill,	Tate,
Costa,	Jones,	Owens,	Trachtman,
Coyle,	Kolankiewicz,	Petrosky,	Turner,
Dennison,	Krise,	Polen,	Varallo,
Dillon,	Leisey,	Propert,	Wachhaus,
Dix,	Loftus,	Readinger,	Weiss,
Dougherty,	Longo,	Reese, D. P.,	White,
Duffy,	Lopez,	Reidenbach,	Wood, L. H.,
Elish,	Lyons,	Robertson,	Wright,
Flack,	McAtee,	Rose,	Yeakel,
Gallagher,	McCormack,	Royer,	

NAYS—82

Barrett,	Freed,	Levy,	Pickens,
Bonawitz,	Frost,	Lovett,	Polaski,
Boory,	Fullerton,	Madden,	Powers,
Breisch,	Gaffney,	Madigan,	Reese, R. E.,
Brice,	Getchey,	Mahany,	Reynolds,
Brown,	Gibson,	Matthews,	Root,
Brunner, C. H.,	Goodling,	McClester,	Salus,
Brunner, P. A.,	Greer,	McDowell,	Snider,
Chervenak,	Haberlen,	McKinney,	Stuart,
Chudoff,	Hamilton,	McLanahan,	Swope,
Coleman,	Hare,	McNally,	Trent,
Cooper,	Helm,	Mihm,	Verona,
Coulson,	Hering,	Modell,	Wagner,
Cullen,	Hewitt,	Mooney,	Waterhouse,
Depuy,	Kennedy,	Murray, P. G.,	Welsh,
Dye,	Kirley,	Myhan,	Wescott,
Elder,	Kline,	Nagel,	Worley,
Erb,	Kurtz,	Nelson,	Yester,
Fleming,	Lane,	O'Donnell,	Fiss,
Foor,	Laughner,	Pentrack,	Speaker.
Fox,	Leonard,	Pettigrew,	

NOT VOTING—38

Barton,	Greenwood,	McMillen,	Serrill,
Baumunk,	Hall,	Mikula,	Shoemaker,
Boies,	Haudenshield,	Mills,	Sollenberger,
Burns,	Herman,	Moore, C. E.,	Tahl,
Cook,	Hoffman,	Reagan,	Tittle,
Dague,	Hoggard,	Regan,	Trout,
Dalrymple,	Howells,	Reilly,	Turbett,
Ewing,	Komorofski,	Riley,	Watkins,
Finnerty,	Lee,	Schuster,	Wood, N.,
Gardner,	Lichtenwalter,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

MOTION TO POSTPONE

Mr. TURNER. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. ANDREWS. Would the gentleman inform the Members of the House as to his intention in calling the bill up, and when?

Mr. TURNER. Mr. Speaker, my intention would be to call the bill up tomorrow.

Mr. ANDREWS. At any particular time?

Mr. TURNER. I have no time in mind, Mr. Speaker.

Mr. ANDREWS. Does the gentleman desire to make a motion that it be a special order at any particular time?

Mr. TURNER. I have no such desire at the present time.

Mr. MAHANY. Mr. Speaker, as we all know, tomorrow is supposed to be the last day, these things can be called up at any time, and it might find a lot of us out who might want to vote against it. I think as long as we are trying to close this thing it ought to be settled. I thought it was settled last night, and I think in due deference to the Members this thing should be passed on right now.

Mr. LOVETT. Mr. Speaker, I voted against reconsideration of this bill. I have always tried to be fair since I have been a Member of this Legislature. When I think of the bills that are laying in the committees of this House that this House refused to give any consideration to, then we vote to reconsider a bill and then postpone it, I think this House should vote down this motion to postpone. This bill should be given the consideration

that was asked for it right now, and I as one will stand by the decision of this House on this bill.

Mr. GRANT. Mr. Speaker, in accordance with my convictions I voted that this bill be reconsidered. I like to be most fair about these things, but now in accordance with my convictions I ask every Member of this House to vote against placing this bill on the postponed calendar.

QUESTION OF INFORMATION

Mr. CULLEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. CULLEN. What is the question before the House?

The SPEAKER. The question is on the motion to place Senate Bill 641, Printer's No. 483 on the final passage postponed calendar.

Mr. CULLEN. Mr. Speaker, I ask for a roll call.

Mr. LEVY. Mr. Speaker, it is quite obvious to the Members of the House why in the last few hours of the session a motion is made to postpone the most debated bill of the session, and I say that in a sense of disgust. I say that knowing that hundreds of pieces of legislation, introduced to serve the people of Pennsylvania, were never brought to the floor of this House. I agree with the gentleman from Westmoreland.

I only want to say in these closing few moments that if one bill introduced and passed for the welfare of the majority of the people of Pennsylvania——

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. HARE. The gentleman is not speaking on the motion.

The SPEAKER. The point of order is well taken. The gentleman will confine his remarks to the question on the motion to place the bill on the final passage postponed calendar. The merits of the bill are not debatable under this motion.

Mr. LEVY. Mr. Speaker, it is quite obvious to me why the proponents of this bill want a postponement. They want a postponement because they have nothing to lose and everything to gain. The roll call on the reconsideration belies their every action. There were approximately eighty-six or -seven votes to reconsider, and the proponents of the bill well know that at least thirty-three percent of the eighty-six are not in favor of the bill. That leaves then about fifty less, and it takes one hundred five votes to pass a bill in this House.

As the gentleman from Crawford well said, tomorrow may find us in the closing minutes of the session. We know what happens in those moments, and we who have served four or five sessions or six sessions know that there is no bill, especially a bill that has been considered as this one has been, that needs any more consideration in the closing minutes of the session than it does twenty-four hours before the session closes. I ask by everything decent that we oppose the postponement and vote tonight and once and for all show the proponents of this bill it is not wanted by this House.

Mr. TURNER. Mr. Speaker, just in that same vein of "Let's be fair" it is fairly easy mathematical calculation to know that there are only one hundred sixty-six or one hundred sixty-seven votes in this House now and that, therefore, about twenty percent, or a little more than twenty percent of this House is absent. The gentlemen who have pled many times to give opportunity to people to vote on bills, it seems to me ought to give their fellow Members an opportunity to be heard and express themselves on the vote.

Mr. PETROSKY. Mr. Speaker, I hesitate to rise at this time, being one of those proponents of the bill that the gentleman from Philadelphia, Mr. Levy, speaks of I only want to say to the Members of this House that in the past three sessions that I have served here many courtesies have been extended to me by Membrs of the House, by, I may say, unanimous consent to have certain bills placed on the postponed calendar, and in one instance a bill was reconsidered and then again placed on the final postponed calendar, and in deference to the gentleman who has asked for the courtesy of having this bill placed on the final passage postponed calendar, I wish to support the motion at this time.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Cullen and Mr. Baker.

Messrs. Cullen, Baker and Leonard asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—61

Bentley,	Green,	Miller,	Rose,
Boney,	Guthrie,	Milliken,	Royer,
Boorse,	Gyger,	Mills,	Scanlon,
Bower,	Haberlen,	Moser,	Serrill,
Brancato,	Hersch,	Munley,	Skale,
Cohen,	Hoffman,	O'Brien,	Snyder,
Corrigan,	James,	O'Dare,	Sorg,
Costa,	Kolankiewicz,	O'Neill,	Stonier,
Coyle,	Krise,	Petrosky,	Tate,
Dillon,	Leisey,	Readinger,	Trachtman,
Dix,	Loftus,	Reagan,	Turner,
Dougherty,	Longo,	Reese, D. P.,	Varallo,
Duffy,	McAtee,	Reidenbach,	Verona,
Elder,	McCormack,	Riley,	Wachhaus,
Ewing,	McNair,	Robertson,	Weiss,
Gallagher,			

NAYS—110

Andrews,	Frost,	Lovett,	Powers,
Baker,	Fullerton,	Madden,	Propert,
Barrett,	Getchey,	Madigan,	Reese, R. E.,
Bentzel,	Gibson,	Mahany,	Reilly,
Bonawitz,	Goodling,	Matthews,	Reynolds,
Boory,	Gore,	McClester,	Root,
Breisch,	Grant,	McDowell,	Rudisill,
Brice,	Greer,	McKinney,	Salus,
Brothers,	Hamilton,	McLanahan,	Schuster,
Brown,	Hare,	McMillen,	Shaffer,
Brunner, C. H.,	Heatherington,	McNally,	Snider,
Brunner, P. A.,	Helm,	Mihm,	Stank,
Cadwalader,	Hennihan,	Modell,	Stockham,
Chervenak,	Hering,	Mooney,	Stuart,
Chudoff,	Hewitt,	Moore, W. J.,	Swope,
Coleman,	Hoopes,	Moran,	Tahl,
Cooper,	Howells,	Murray, M. L.,	Trent,
Cullen,	Hunter,	Murray, P. G.,	Wagner,
Dague,	Jones,	Myhan,	Waterhouse,
Dennison,	Kennedy,	Nagel,	Welsh,
Depuy,	Kirley,	O'Connor,	White,
Dye,	Kline,	O'Donnell,	Wood, N.,
Elish,	Kurtz,	Owens,	Worley,
Erb,	Lane,	Pentrack,	Wright,
Fleming,	Laughner,	Pettigrew,	Yeakel,
Foor,	Leonard,	Pickens,	Yester,
Fox,	Levy,	Polaski,	Fiss,
Freed,	Lopez,		Speaker.

NOT VOTING—36

Barton,	Gaffney,	Lee,	Sloan,
Baumunk,	Gardner,	Lichtenwalter,	Smith,
Boies,	Greenwood,	Lyons,	Sollenberger,
Burns,	Hall,	Mikula,	Tittle,
Cook,	Haudenshield,	Moore, C. E.,	Trout,
Coulson,	Herman,	Nelson,	Turbett,
Dalrymple,	Hoggard,	Polen,	Watkins,
Finnerty,	Huntley,	Regan,	Wescott,
Flack,	Komorofski,	Shoemaker,	Wood, L. H.,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I dislike very much to take up the time of the House at this time of the night, but under the circumstances the situation has been forced upon me, and therefore there is nothing I can do but meet the issue as I see it.

It has been suggested to me in the light of the statement made by the gentleman from Westmoreland, Mr. Petrosky, in which he evidenced the desire to know something about the bill, that I should make some explanation of it.

I can only say again what I attempted to say earlier, what the gentleman from Berks said last night, that this bill provides a broader base for the investment of trust funds in Pennsylvania and that it sets up certain bonds, certain debenture bonds and certain preferred stocks which will be eligible for investment of trust funds in Pennsylvania. The reason for that is, as I understand it from the communications which I have received and the correspondence which I have had with a number of the bankers, and with a number of individuals, that the amount of return in trust estates has been so low that they have felt that for the benefit of the trust estates and for the benefit of those who are to receive the income from those estates they should have a broader field for investment where they can get a higher rate of return in order to help out those people.

I say the issue is a very clear one; it has the support of a large number of banks in the eastern part of the state that I know of. I did not have communication with those in the central and western parts. I know there is some opposition on the part of some banks. The gentleman from Berks told me last night, or said on the floor, I forget which, that the banks in his own county are in favor of this measure but that he opposes it.

Therefore, on that ground the question is before the Members of this House, as I see it, whether they want to broaden the base or whether they do not. If you do you vote for this bill; if you do not you vote against it.

Mr. PETROSKY. Mr. Speaker, looking at the clock and owing to the lateness of the hour, I think my actions at this session have proven that I certainly do not want to delay the proceedings of the House by additional debate on measures that are before us, but I just want to stress that I have stood here for the last three sessions and have heard certain terms used on certain legislation, such as being a shoddy piece of legislation, such as there being something rotten in Denmark, but without proper explanation to warrant such remarks, and in many instances the Membership of the House, I believe, have been mislead and it has caused a bill to be defeated.

I certainly want, for the clarification of the record, to ask the gentleman from Crawford, Mr. Mahany, as to what is rotten in Denmark? What is wrong with the bill as stated by the gentleman from Berks, Mr. Grant giving a broader base for investments to the banks and to the trustees of estates. If not, why not pass the bill, because they certainly need a broader base in order to get a sufficient return for the investment of trust funds.

May I interrogate the gentleman from Crawford, Mr. Mahany?

The SPEAKER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I shall, Mr. Speaker.

Mr. PETROSKY. Will the gentleman tell me what is rotten in the bill or what is rotten in Denmark, which ever one he would rather explain?

Mr. MAHANY. Answering the first question, what is rotten in Denmark, I think if the gentleman had been around all day he would probably have been able to understand that, but after this bill was defeated last night there was great activity on the part of Lobbyists to get this bill through for some reason or other and as Mr. Brown pointed out, when the thing first started out, that there was one so bold that he occupied the seat of one of the Members. Now, if that isn't something wrong, I do not know what is.

In regard to the bill, I am not going to add to what I said last night. I think inasmuch as authorities are in their infancy so to speak, that we should not entrust trust funds to that type of security and imperil the savings that have been set up for widows and orphans under the wills of people who are now deceased. I feel, therefore, that the Membership should vote down this bill once again.

Mr. PETROSKY. Mr. Speaker, that is not the question that I wanted answered. I want to say to the Membership of the House, I can see no explanation to my interrogation as to whether there is something wrong in the bill or not. There has been no explanation given to me as to why the bill should be voted against. I for one feel that it is a meritorious bill and should be enacted into law in order to enable those trust funds to pay a proper return from the securities they can be invested in. The sole responsibility rests upon those who are making the investments.

Mr. TURNER. I do not like, as I have said many times, to bring personal questions into an issue of this kind, but the gentleman on the other side, and especially the gentleman who has just answered an interrogation has left me no other recourse.

I want to say to the gentleman from Westmoreland who has inquired, that there has been a tremendous amount of influence and pressure used by a certain bank in the western part of Pennsylvania, that has its branches and has its influence in a number of branch banks of that particular bank. I do not know its reason, but it has been against the bill, and that is the reason why some of these men seem to be so hot-foot and have engendered the tremendous amount of heat—not today, but yesterday.

Why is it, as I sought members to support this measure who were not in the hall of the House, Members who

were not here last night or Members who voted the other way—as I sought to get some sort of reason from them or to talk about it, I found them reasonable, but in a short time I found that they were not reasonable and that somebody had reached them, and that Members were pressuring them. You talk about a lobby and you talk about opposition; well, there are certain Members of this House who have been just about as busy as a one-armed paper hanger trying to persuade the Members of this House to vote their way.

I talked to Members of the House this morning who said they were perfectly willing to go along, and then in a short time I found that somebody else had grabbed their ear. I do not know what their plea was, but I can imagine from the things that have been said here. I have been told that there is an attempt on the part of some of the Members on this side of the House to spank me for a vote I made a few days ago, and that has been coming to me persistently in the last twenty-four hours I want to say to those men that they cannot spank me; there are not any of them big enough to do that.

Now, gentleman, we ought not to have this sort of situation, but these men have left me no other issue. I think it is the perfect right of anybody to come here and interview Members of the Legislature and ask them to vote on legislation in which they are interested. From the day this session opened until tomorrow when it will close the sidelines of this House and the other Chamber have been lined with men whom I respect, whom I know and who are actively interested in legislation here, endeavoring to get legislation passed or defeated that they think is either good or bad. I never knew that anybody said that was a crime. I don't know of any reason why any man should not interview any Member of the Legislature, and certainly you have not such close sealed minds, that you cannot listen to an individual who has something to say.

Suppose a man has a personal interest in legislation We have school teachers, we have labor, we have utilities, we have coal interests, we have the railroad interests, we have the garden clubs, we have almost every kind of organization you can think of, and they come to the House and ask you to support certain legislation. I see nothing wrong about that, unless a person is offensive and his activity is for the purpose of trying to insinuate something into a bill to turn the Members' minds against voting for the measure. The most unfair action in all my twenty years of experience in this House, the most unfair action that I have ever seen on the floor of this House has occurred tonight, and I say to you that it does no credit to the men who are endeavoring to engineer it.

This legislation was drafted by men who knew something about it. It was prepared by men who thought this legislation was right; it was placed before you and you should approach it on a fair basis, not by underhand methods, not by hitting below the belt as some of you have done, not by taking the course you have taken, but you ought to consider this legislation stand up and discuss it intelligently and be willing to thrash it out on the merits of the legislation itself. If that be treason, make the most of it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—74

Bentley,	Guthrie,	Moore, W. J.,	Sloan,
Boney,	Gyger,	Munley,	Smith,
Bower,	Hering,	O'Brien,	Snyder,
Brancato,	Hersch,	O'Dare,	Stockham,
Cadwalader,	Hewitt,	O'Neill,	Stonier,
Cohen,	Hoffman,	Petrosky,	Tahl,
Corrigan,	Hoopes,	Pickens,	Tate,
Costa,	Huntley,	Propert,	Trachtman,
Dague,	James,	Readinger,	Turner,
Dalrymple,	Kolankiewicz,	Reagan,	Varallo,
Dennison,	Kurtz,	Reese, D. P.,	Verona,
Dillon,	Leisey,	Reidenbach,	Wachhaus,
Dix,	Loftus,	Riley,	Watkins,
Dougherty,	Lopez,	Robertson,	White,
Duffy,	Lyons,	Rose,	Wood, L. H.,
Erb,	McAtee,	Royer,	Wood, N.,
Gallagher,	McCormack,	Scanlon,	Worley,
Gibson,	Miller,	Serrill,	Yeakel,
Green,	Milliken,	Skale,	

NAYS—99

Andrews,	Fox,	Levy,	Pentrack,
Baker,	Freed,	Longo,	Pettigrew,
Barrett,	Frost,	Lovett,	Polaski,
Bentzel,	Fullerton,	Madigan,	Powers,
Bonawitz,	Goodling,	Mahany,	Reynolds,
Boory,	Gore,	Matthews,	Root,
Breisch,	Grant,	McClester,	Rudisill,
Brice,	Greenwood,	McDowell,	Salus,
Brothers,	Greer,	McKinney,	Schuster,
Brown,	Haberlen,	McLanahan,	Shaffer,
Brunner, P. A.,	Hamilton,	McNair,	Snider,
Chervenak,	Hare,	McNally,	Sorg,
Chudoff,	Heatherington,	Mihm,	Stank,
Coleman,	Helm,	Mikula,	Stuart,
Cooper,	Hennihan,	Mills,	Swope,
Coulson,	Herman,	Modell,	Tittle,
Coyle,	Howells,	Mooney,	Trent,
Cullen,	Hunter,	Moran,	Wagner,
Depuy,	Jones,	Murray, M. L.,	Waterhouse,
Dye,	Kennedy,	Myhan,	Weiss,
Elish,	Kirley,	Nagel,	Welsh,
Ewing,	Kline,	Nelson,	Wescott,
Flack,	Lane,	O'Connor,	Wright,
Fleming,	Laughner,	O'Donnell,	Yeater,
Foor,	Leonard,	Owens,	

NOT VOTING—34

Barton,	Gaffney,	Lichtenwalter,	Regan,
Baumunk,	Gardner,	Madden,	Reilly,
Boies,	Getchey,	McMillen,	Shoemaker,
Boorse,	Hall,	Moore, C. E.,	Sollenberger,
Brunner, C. H.,	Haudenshield,	Moser,	Trout,
Burns,	Hoggard	Murray, P. G.,	Turbett,
Cook	Komorofski,	Polen,	Tiss,
Elder,	Krise,	Reese, R. E.,	Speaker.
Finnerty,	Lee,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

Senate Bill No. 625, Printer's No. 293,

was passed over at the request of the SPEAKER.

SENATE MESSAGE

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 658.

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records an dmake reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 658

Mr. DAVID P. REESE, Jr. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 658, Messrs. McDowell, David P. Reese, Jr., and Cohen.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 717, entitled:

An Act authorizing the playing of certain sports on Sunday after certain hours where the electors of a municipality or township vote in favor of the same; providing for referendums to ascertain the will of the electors; prescribing penalties; and repealing inconsistent laws

On the question,

Will the House agree to the bill on third reading?

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 3, page 3, line 5, by striking out the words two per centum (2%), and inserting in lieu thereof the words twenty per centum (20%)

Amend Section 5, page 5, line 26, by striking out the words two per centum (2%), and inserting in lieu thereof the words twenty per centum (20%).

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. ROOT. Mr. Speaker, I object.

The SPEAKER. The chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

RECONSIDERATION OF VOTE

Mr. O'BRIEN. Mr. Speaker, I move that the vote by which this bill was ordered to be transcribed for third reading be reconsidered.

Mr. SCANLON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. O'Brien, vote.

Mr. O'BRIEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Scanlon vote.

Mr. SCANLON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it.

Whereupon a division was called for seventy-seven Members having voted in the affirmative and fifty-seven in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. O'BRIEN. Mr. Speaker, I move that the vote by which the bill passed second reading be reconsidered.

Mr. SCANLON. Mr. Speaker, I second the motion.

Mr. O'BRIEN. Mr. Speaker, I move that the vote by which the title and the various sections were agreed to be reconsidered.

Mr. SCANLON. Mr. Speaker, I second the motion.

The motion was agreed to.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN offered the following amendment:

Amend Section 3, page 3, line 5, by striking out the words two per centum (2%), and inserting in lieu thereof the words twenty per centum (20%).

It was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN offered the following amendment:

Amend Section 5, page 5, line 26, by striking out the words two per centum (2%), and inserting in lieu thereof the words twenty per centum (20%).

It was agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth and ninth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 757, as follows:

An Act to further reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the

same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" as last amended by the act approved the tenth day of April one thousand nine hundred forty-five (P. L. Act No 83) are hereby further reenacted and amended to read as follows

Section 1 Article twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 712) is hereby further amended by adding between section two thousand two and two thousand three thereof a new section to read as follows

Section 2002.1 The trustees of any State Teachers College with the approval of the Department of Public Instruction and the Governor may cooperate with municipal State Federal and other agencies in vocational education and rehabilitation programs in the furtherance of national defense and post-war activities and for such purposes shall have power to do all things and enter into all agreements necessary to carry out the same including the power to lease the whole or any part of the real property used by such college [and they also shall have power to convert the whole or any part of one or more of such State Teachers Colleges for any other State purpose]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 58.

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers; and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain

other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further regulating the vacation leave and sick leave to which State employes are entitled with pay

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1 Page 3 line 17 by inserting after the the word "leave" the words " and sick leave not to exceed fifteen days"; also insert after the word "vacation" in line 19 the words "or sick"; also in line 21 by inserting a light faced bracket before the word "in"; also in line 22 by inserting a light faced bracket after the word "commission"; also in line 23 by inserting after the word "extended" the words "beyond any unused leave that may have accumulated as hereafter provided"; also in line 23 by inserting a light faced bracket before the word "but"; also in line 24 by inserting a light faced bracket after the word "except"; also in line 29 by striking out ofter the word "connected" the words "In addition to the aforesaid vacation each such employe shall be entitled during each calendar year to fifteen days sick leave with pay"; Section 1 page 4 line 4 by inserting after the word "cumulative" the following: "under the following conditions (a) Where it has been impossible to grant to an employe all or any part of the vacation leave during the calendar year in which it is accrued such unused vacation leave may be accumulated and granted to the employe during the succeeding calendar year and (b) Unused sick leave may be accumulated not to exceed fifteen days in addition to sick leave accruing for the current calendar year and may be granted to the employe upon presentation of evidence satisfactory to the employer in instances of extended hospitalization protracted illnesses or serious injury".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 44.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof or qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title by striking out Page 2, line 10 after the word "years" the words "and providing for the reinstatement of electors' registrations after failing to vote during two calendar years".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

Mr. McNALLY. Mr. Speaker, I am introducing this resolution in order to bring to your attention a problem which is becoming more and more serious each day as more and more members of our armed forces return from the fighting fronts to peacetime activity.

I have in mind the growing tendency among employers to use the device of physical examinations to disqualify returning Soldiers, Sailors and Marines and thereby avoid reemploying them. In presenting this resolution I am fondly hoping for its speedy consideration.

Mr. McNALLY offered a resolution which was filed with the Clerk.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former Member, the gentleman from Dauphin, Mr. Samuel C. Spengler.

RESOLUTION

RECALLING SENATE BILL No. 723 FROM THE SENATE

Mr. MORAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 4, 1945.

Resolved (if the Senate concurs), That Senate Bill No. 723, Printer's No. 472, entitled "An Act to amend subsection (a) and further amend subsection (b) of section nine, of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled 'An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court, providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties,' by further regulating judicial review," which was messaged back to the Senate, be recalled from the Senate for further consideration by the House of Representatives.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 52

Mr. DAVID P. REESE, Jr. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 52.

The SPEAKER. This being a Senate Bill the report of the Conference Committee will be printed by the Senate.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that this House do now adjourn until Saturday, May 5, 1945, at 11 a. m.

The motion was agreed to, and (at 1:40 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., SATURDAY, MAY 5, 1945. No. 58.

SENATE

SATURDAY, May 5, 1945.

The Senate met at 2:00 o'clock, p. m., Eastern War Time. The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the gentleman from Berks, Senator RUTH.

Our kind Heavenly Father, as we come to Thee today, on this last day of this session, we thank Thee for Thy guidance and help which Thou hast given us through these months. We thank Thee for the opportunities which Thou hast given unto us to serve our fellow-men. Wherein we have failed we pray that it may be ascribed to head rather than to heart. Forgive us, guide us in this the last day that we may do those things which will be pleasing in Thy sight. As we return to our homes to take up the threads of our everyday life again and look out into the new world which is waiting for us, we pray that Thou will give us the strength and the courage which may be ordained when binding up the wounds of the world. We pray that Thou especially be with the boys and girls in the service; may the time soon come when they shall all come home again, and may we help them take up the threads of their young lives so that this world may be a better place to live in for all peoples.

We ask it in Jesus' name. Amen.

The PRESIDENT PRO TEMPORE. Thank you, Senator Ruth; that was a beautiful prayer.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. JAMES, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 58

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the vacation leave and sick leave to which State employes are entitled with pay.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 119

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 119, entitled:

An Act providing for the construction, erection and maintenance of roadside parks adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to and imposing duties upon the Department of Highways; the Secretary of Highways, the Governor, and the Department of Property and Supplies; authorizing rules and regulations and providing penalties for violations thereof; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 171

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 171, entitled:

An Act providing for the complete medical and dental examination of all children of school age and teachers in the Commonwealth and imposing certain duties upon the Department of Health.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the vacation leave and sick leave to which State employes are entitled with pay.

Senate Bill No. 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on the repayment of such loans and making an appropriation.

House Bill No. 119, entitled:

An Act providing for the construction, erection and maintenance of roadside parks adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to and imposing duties upon the Department of Highways; the Secretary of Highways, the Governor, and the Department of Property and Supplies; authorizing rules and regulations and providing penalties for violations thereof; and making an appropriation.

House Bill No. 171, entitled:

An Act providing for the complete medical and dental examination of all children of school age and teachers in the Commonwealth and imposing certain duties upon the Department of Health.

House Bill No. 279, entitled:

An Act to amend section one of the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts p. 15), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto" increasing the amount of such appropriation and extending the time thereof.

Senate Bill No. 385, entitled:

An Act to amend paragraph two of subdivision (b), and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property.

Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining real estate brokers and real estate salesmen; and furthr providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business.

Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by changing the time limitatiin for tagging big game controlling the removal and transportation of big game requiring report of such killing and providing penalties

Senate Bill No. 616, entitled:

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work.

Senate Bill No. 656, entitled:

An Act to amend clause (a) of section three hundred one, clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employers' rights of subrogation; adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

Senate Bill No. 657, entitled:

An Act to further amend clauses (a), (b), (c) (f) and (h) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation;

changing employer's rights of subrogation, adding provisions relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

Senate Bill No. 684, entitled:

An Act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors, to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year, as returned by it to the Federal Government for income tax purposes, and ratifying contributions heretofore made.

Senate Bill No. 718, entitled:

An Act to add section three hundred six and one-tenth to the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 520), entitled "An act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing practice and rules of evidence; defining earning power after accident; authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; increasing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act," providing for payment in second injury cases.

House Bill No. 1258, entitled:

An Act to amend section three of the approved act the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE RESOLUTIONS

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolutions from the Senate as follows:

INSURANCE COMMISSIONER AND SECRETARY OF REVENUE TO FORMULATE PENNSYLVANIA ASSIGNED RISKS PLAN FOR PHYSICALLY DISABLED PERSONS

In the Senate of Pennsylvania, April 11, 1945.

There are many persons within the Commonwealth who, although skilled in the driving of automobiles, are denied the right so to do on account of physical disabilities which make the procurement of liability and property damage insurance impossible.

The return of fighting men from the battle fronts of the world will greatly increase this number, and the inability of many of those who desire every possible privilege and opportunity of enjoyment, to secure such insurance, will prevent their full use of automobiles.

It is not possible nor would it be advisable to compel insurance companies to accept such risks which in their experience are hazardous.

Many companies in Pennsylvania writing liability and property damage insurance have lately developed the "Pennsylvania Automobile Assigned Risks Plan" for the voluntary handling of liability and property damage insurance on persons who have come under the provisions of the Financial Responsibility Law.

The formation of a similar plan for the voluntary handling of liability and property damage insurance on persons physically handicapped, might be the means of affording such persons the coverage necessary to allow them to enjoy the privilege of driving an automobile, either for pleasure or in the carrying on of a business; therefore be it

Resolved (if the House of Representatives concur), By the General Assembly of the Commonwealth of Pennsylvania that the Insurance Commissioner of the Commonwealth and the Secretary of Revenue of the Commonwealth are requested to meet and consult with representatives of the various casualty companies doing business within the Commonwealth, in an attempt to arrive at and formulate a plan for the organization of a Pennsylvania Assigned Risks Plan for the insuring of physically handicaped persons; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Secretary of the Senate to the Insurance Commissioner and to the Secretary of Revenue.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT STATE GOVERNMENT COMMISSION TO DEVELOP SOUND AND SCIENTIFIC FINANCIAL HIGHWAY PROGRAM

In the Senate, April 25, 1945.

Resolved (if the House concur) that it shall be the duty of the Joint State Government Commission (hereinafter called the Commission), in consultation with organizations of recognized national standing, to cause to be made a thorough and impartial study in order to determine the relative responsibilities and burdens which should, in equity, be placed on the Commonwealth and on political subdivisions in respect to financing the cost of the construction, reconstruction and maintenance of the highways of the Commonwealth, including all state and local highways, the amount of state-aid for highway purposes which should be granted by the Commonwealth to political subdivisions for highway purposes, and generally to develop a sound and scientific financial highway program for the Commonwealth and her political subdivisions; and for such purposes the Commission shall have power and its duty shall be to engage the services of not less than three individuals of recognized standing in the fields of highway economics and highway engineering, together with such assistants and clerks as may be deemed necessary by the Commission.

All departments of the State government and all political subdivisions shall assist the Commission in every possible way by making available and furnishing such data, records, information and advice relative to the study provided for by this resolution as may be deemed necessary by the Commission. For these purposes the Commission shall have the power to compel the appearances of witnesses and the production of books, papers and records, and to issue proper subpoenas for the attendance of witnesses on the production of books, papers, records and any and all other writings deemed necessary for the fulfillment of the duties prescribed in this resolution.

The Commission shall constitute and provide for the appointment of advisory committees, consisting of administrative officials of the State and local governments and of the representatives of organized groups having direct interest in and affected by the development of streets and highways, to aid in the study of the problems presented by this resolution.

The Commission shall make a full and complete report of its findings and recommendations to The General Assembly not later than March 1, 1947, together with such drafts of legislation as may be necessary to carry such recommendation into effect.

The costs and expenses of said study and report thereon shall be paid for out of special allocation of fifty thousand dollars ($50,000) to the Commission from the Motor License Fund.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 884

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 4, 1945.

Resolved, (if the Senate concur), That House Bill No. 884, Printer's No. 430, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 31 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 31, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land, and for the construction of a Governor's Mansion

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 61 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 65 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 66 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 175 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 175, entitled:

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 349 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 373 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 373, entitled:

An Act to further amend the act approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops, managers and owners of barber shops, barbers, teachers of barbering, students and apprentices

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 393 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 393, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review, by the courts, of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 667 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 667, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin

County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

SENATE BILL No. 745 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 745, entitled:

An Act authorizing the Pennsylvania Historical Commission to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County providing for the control and management thereof authorizing the Pennsylvania Historical Commission to cooperate with other certain organizations and making an appropriation

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

HOUSE CONCURS IN SENATE BILL NO. 37

He also returned to the Senate, Senate Bill No. 37, entitled:

An Act fixing the fees of the recorder of deeds in counties of the fifth class

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 103

He also returned to the Senate, Senate Bill No. 103, entitled:

An Act making an appropriation to the Department of Property and Supplies for additions, repairs, and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 144

He also returned to the Senate, Senate Bill No. 144, entitled:

An Act to amend section one of the act approved the twenty-first day of May, one thousand nne hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents in death and compensation cases; and prescribing penalties," by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 231

He also returned to the Senate, Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities person association or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" providing for and regulating the change of width grade lines or location of state highways in such cities the ascertainment and assessment of damages and benefits to abutting property in connection therewith and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures and making appropriations from the Motor License Fund

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 355

He also returned to the Senate, Senate Bill No. 355, entitled:

An Act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 396

He also returned to the Senate, Senate Bll No. 396, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield, and making an appropriation

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 403

He also returned to the Senate, Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by terminating interest on accumulated deductions on the date of separating from school service

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 413

He also returned to the Senate, Senate Bill No. 413, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present war, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 468

He also returned to the Senate, Senate Bill No. 468, entitled:

An Act authorizing the alteration, improvement and construction of buildings, equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River, and making an appropriation

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 524

He also returned to the Senate, Senate Bill No. 524, entitled:

An Act ti amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescrbing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 528

He also returned to the Senate, Senate Bill No. 528, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 565

He also returned to the Senate, Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 570

He also returned to the Senate, Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania

REGULATING INDEBTEDNESS OF PHILADELPHIA

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO 649

He also returned to the Senate, Senate Bill No. 649, entitled:

An Act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 673

He also returned to the Senate, Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 679

He also returned to the Senate, Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately three-tenths of an acre of land in the County of Delaware, upon which is erected the Chester Range Front Light, and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO 695

He also returned to the Senate, Senate Bill No. 695, entitled:

An Act to amend section twelve hundred nine of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times, and the salvaging thereof

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 713

He also returned to the Senate, Senate Bill No. 713, entitled:

An Act to amend sections three and five of Article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by making provisions for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 734

He also returned to the Senate, Senate Bill No. 734, entitled:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 748

He also returned to the Senate, Senate Bill No. 748, entitled:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America, or any federal agency, and placing such lands under the control and supervsion of the Department of Forests and Waters

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 757

He also returned to the Senate, Senate Bill No. 757, entitled:

An Act to further reenact and amend the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one tenth to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L., 309), entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities," extending the effective period thereof; substituting the Department of Public Instruction and the Governor for the State Council of Education; and placing additional duties and powers upon the trustees of State Teachers Colleges

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 760

He also returned to the Senate, Senate Bill No. 760, entitled:

An Act to amend sections three, four and five and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the third day of July, one thousand nine hundred forty-one (P. L. 244), entitled "A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended, entitled 'An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from the contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads

of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 761

He also returned to the Senate, Senate Bill No. 761, entitled:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July, one thousand nine hundred forty-one (P. L. 249) entitled, as amended, "A Supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty seven (P. L. 2423), as amended, entitled 'An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties,'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service, and removing the requirement for a physical examination in certain cases

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 775

He also returned to the Senate, Senate Bill No. 775, entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions, and an equitable basis for State aid to local governments for highway purposes; authorizing consultation with research organizations of recognized national standing; and defining its powers and duties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 806

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 806, entitled:

An Act to further amend Sections Twenty and Twenty-One of the Act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1209

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals; providing for the licensing of such business and the cancellation of such license; authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department; and providing penalties.

SENATE BILL No. 8 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill as amended will be laid on the table.

The PRESIDENT PRO TEMPORE. At this time I would like to call to the Chair Senator DiSilvestro, from Philadelphia.

The PRESIDING OFFICER (Anthony J. DiSilvestro) in the Chair.

NOMINATION AND ELECTION OF PRESIDENT PRO TEMPORE

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed with election of a President pro tempore to serve during the interim.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Heyburn.

Mr. HEYBURN. Mr. President, I yield to the gentleman from Cumberland, Senator Wade, who will present a nomination for President pro tempore on behalf of the Republican Caucus.

Mr. WADE. Mr. President, as we come to the close of this useful session of the Pennsylvania Legislature, I have been assigned a most pleasant duty by the Republican caucus. As I make that remark, a useful session of the Pennsylvania Legislature, I say it because of the fact that we have had a tremendous number of bills presented to us, and we have passed a goodly share of those bills to protect the citizens of the Commonwealth of Pennsylvania. During that time we have had a man at the helm,

a man as our leader, of sterling character, a man who has furnished real leadership to the Republican Party, to the Republican caucus and to the Senate of Pennsylvania. As a matter of fact, he has been a legislator for 365 days of the year. No day of the year is he so engaged as to decline a request of a single member of this Legislature. Under his leadershp we have enjoyed a harmony—certainly we have debated bills, certainly the opposition, our friendly opponents on the other side, have raised issues on different matters of legislation—but all through this session, I repeat, a harmony has prevailed, the like of which I have never observed before, and I say that because I have been a member of both House and the Senate and have served during several sessions.

I might bring up one criticism at this point. In one manner this man has failed only, and that is, while he was legislating here about the kind of animals that might be killed for food consumption for the citizens of Pennsylvania, he has failed in furnishing proper protection against the flying fowl of Dauphin county to some of the members. But I have confidence, ladies and gentlemen, as we close this session, that if we turn this matter over to Senator Crowe of Munroe the Senate chamber will be properly sterilized for the next session.

Again I repeat that under the leadership of the gentleman from Dauphin we have had a harmony here in the Pennsylvania Senate, and in both bodies of the Legislature, the like of which we have never experienced.

I like to refer to the words of Madam Chiang Kai-shek, who said science has made the world a neighborhood but men have not learned to live as neighbors. Here in Pennsylvania, under the leadership of Senator M. Harvey Taylor, we have learned to live as neighbors and we have furnished in this useful session of the Legislature legislation that will be beneficial to every class of our citizens, almost ten million in number.

Therefore, Mr. President, it is my duty and pleasure to place in nomination the choice of the Republican caucus, Senator M. Harvey Taylor of Dauphin county.

Mr. EALY. The House of Representatives selects its Speaker at the beginning of a session and he holds over during the session and the interim to the end of his term. Under the Constitution the Senate of Pennsylvania is required to elect a President pro tempore at the beginning and at the close of each regular session. Not only has it become customary to elect a Presdent pro tempore during the session and to re-elect him for the interim, but in this case the unanimous action of the Republican caucus has determined that Honorable M. Harvey Taylor shall be our President pro tempore for the interim and until the next session and I take very great pleasure in seconding this nomination.

The PRESIDING OFFICER. Are there any other nominations?

Mr. DENT. I ask that the Senate be at ease for just one minute.

(The Senate was at ease.)

Mr. DENT. Mr. President, it is not often that we can depart from our regular political channels in the matter of the selection of a commanding officer and it gives me, and I know my colleagues on this side will join me, in the pleasure that it gives us, to be able to stand here and second the nomination of the very likable and capable gentleman who has served as President pro tempore during this regular session.

I am sure that during the interim if at any time any members of the Senate on this side find themselves in a position where they need a little of his fatherly counsel, if they come down to Harrisburg they will be greeted with open arms.

So Mr. President, on behalf of the Democratic Minority, I join with the Republican Majority in seconding the nomination of the Honorable M. Harvey Taylor for President pro tempore of the Senate.

NOMINATIONS CLOSED

The PRESIDING OFFICER. Are there any further nominations?

Mr. HEYBURN. I move that nominations for the office of President pro tempore of the Senate be closed.

Mr. WALKER. I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Clerk will call the roll.

For Mr. Taylor:

YEAS—48

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Thomas,
Berger,	Gourley,	Mallery,	Troutman,
Blass,	Haluska,	Margie,	Tyler,
Bowers,	Heyburn,	McCreesh,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Coleman,	James,	Ruth,	Wilson.
Cox,	Jaspan,	Scarlett,	Woodring,
Crider,	Jones,	Snowden,	Woodward,
Crowe,	Kephart,	Stevenson,	DiSilvestro,
Dent,	Klein,	Stiefel,	Presiding Officer
Ealy,			

NAYS—0

PRESENT—1

Taylor,

The PRESIDING OFFICER. The Honorable M. Harvey Taylor having received 48 votes, none dissenting, the Presiding Officer declares him to be duly elected President pro tempore of the Senate for the interim.

The Presiding Officer nominates a committee of three, Senator Walker, Senator Dent and Senator Wade, to escort the newly elected President pro tempore, Honorable M. Harvey Taylor, to the rostrum.

Mr. WALKER. Mr. President, the committee appointed to escort the newly elected President pro tempore to the rostrum, performs that duty with pleasure.

The PRESIDING OFFICER. The Presideng Officer welcomes the newley elected President pro tempore with the wish that during the interim his administration will be successful and progressive for the state of Pennsylvania.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor). Gentlemen of the Senate, while I was sitting down in that chair there were a number of things that came to my mind I thought I would mention when I got up on the rostrum, but now I can not think of one of them. This is the greatest majority I have ever received, and I have been running for office all my life. Gracious, it is just wonderful.

I just want to say to Senator Wade, since I can control

only one vote, he can not expect me to take care of the pigeons. I do not know why they pick him out every time. I have never been molested by the pigeons in the Senate but he has been three times in one day. He must have some attraction for them.

I certainly appreciate this honor; I know I do not deserve it, but thanks. I will be your errand boy, you fellows on this side. And I want to thank the gentlemen on the other side; you certainly have been gracious to me, because when a fellow is chairman of the Republican State Committee, if he does not get any more abuse than I do, you are pretty charitable.

I will do the very best in my power; I will do an honest job, I will promise you that.

Thanks a lot, fellows, and I will try to do a good job.

Mr. WADE. Mr. President, just so that the record is complete, and so there is no misunderstanding, I would like to say that I was visited by a dove of peace and not a pigeon.

The PRESIDENT PRO TEMPORE. I will have to answer that as Presiding Officer. If I told you what he called those pigeons—well, it was not dove of peace.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

PERSONAL PRIVILEGE

Mr. EALY. I should like, with permission, to say just a few words, which involve one of the other members of this Senate. Sometimes during this session, and during my career as a Senator heretofore, I have voted on bills simply from a matter of principle and in opposition to perhaps all the other Senators. Such was my vote on a bill permitting the mayor of Philadelphia to succeed himself. It is hard to explain a vote on principle alone. The road which I have traveled on principle and consistency has been a hard one and a lonely one. A road of supposed expediency and hysteria is a bright road that a good many travel, and so I have been lonely in some of those votes and I have done this against my real wishes, but if I have considered myself as a sort of martyr I will have to yield the palm because of a most appealing incident which happened during this session.

The Senator from Warren, representing his constituents from that county, made a request of Dr. Chapman, Chairman of the Committee on Appropriations and the guardian of the state treasury, to give to the Warren Hospital a nice large appropriation, but Dr. Chapman, sitting in his capacity as Chairman of the Committee on Appropriations, sternly rejected the application of Senator Chapman and cut the appropriation for this hospiial. That is an example of legislative fortitude that should be an example to us all.

PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I thought I finished up on hospitals yesterday but when my friend from Somerset talks about anyone taking a cut in an hospital appropriation, there is only one reason, that is, that they failed to earn their appropriation. Let us not kid anybody here by throwing out any bouquets that are not merited, because no one has taken a cut for any hospital if they earned their appropriation. I do not want to see my colleagues misled because, as I said yesterday, I shall render a public service to this Commonwealth to prove that the secretary to the Chairman of the Committee on Appropriations, who claims that he knows even more than you, Mr. President, and the budget secretary himself, he has made his boast, and I shall make it a public service to bring before this body authentic figures so that at the next session there will be no wild statements made about anybody taking a cut. In fact, he had to raise the per diem basis to keep from taking a cut and the only hospital which has taken a cut is the Miners' Hospital of Northern Cambria county.

PERSONAL PRIVILEGE

Mr. EALY. Mr. President, apparently I dare not attempt to make a little joke. Any time I tell a story with a little joke in it, the audience wonders whether I am trying to offer a prayer or something. This is the last day of the session and this appealed to me as a very funny joke about Dr. Chapman. I meant it in that respect, and I was rather surprised that everybody took it as a very solemn statement.

Mr. JASPAN. I wish to congratulate Senator Chapman because as Chairman of the Committee on Appropriations at least this year he held a few meetings to which we were invited.

PERSONAL PRIVILEGE

Mr. BARR. Mr. President, at the beginning of this session I went down to the news room and at that time some of the men down there asked me if I would use any influence I might have to have a new system of lighting installed in the news room. After reading some of the stories that come out of there I think they do need some guiding light in there, so I am going to ask the President pro tempore if he will use his influence in that office to try to get some indirect lighting or better lighting installed in the news room before the next session.

The PRESIDENT PRO TEMPORE. At this time I would like to call Senator Wade to the Chair. Senator Wade, will you kindly preside for a few minutes.

The PRESIDING OFFICER (George N. Wade) in in the Chair.

SENATE BILL No. 31 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 31, on concurrence in amendments made by the House.

RULE 21 SUSPENDED FOR BALANCE OF THE SESSION

Mr. HEYBURN. Mr. President, I move that Rule 21,

which requires amended bills and reports of committees of conference to be noted on the Calendar, be dispensed with for the balance of the session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 31, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land, and for the construction of a Governor's Mansion

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, lines 1 and 2, by striking out after the word "of" on line 1, and before the word "or" on line 2, the following: "eight hundred fifty-five thousand dollars ($855,000) and inserting in lieu thereof the following: "two hundred fifty thousand dollars ($250,000)."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 8 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 8, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, lines 1 and 2 of the title, by striking out after the word "the" on line 1, and before the word "under" on line 2, the following: "Pennsylvania Post-War Planning Commission", and inserting in lieu thereof, the following: "Department of Commerce"; Amend Section 1, page 2, by striking out lines 4 to 8, inclusive and inserting in lieu thereof, the following: "Department" means the Department of Commerce"; Amend Section 2, page 2, line 14, by striking out after the word "the" and before the word "involving", the following: "Commission", and inserting in lieu thereof, the following: "department"; Amend Section 2, page 2, line 20, by striking out after the word "the" and before the word "upon", the following: "Commission," and inserting in lieu thereof, the following: "department"; Amend Section 3, page 3, line 4, by striking out after the word "the" and before the word "to", the following: "Commission", and inserting in lieu thereof, the following: "department"; Amend Section 4, page 3, line 10, by striking out at the beginning of the line and before the word "shall", the following: "Commission", and inserting in lieu thereof, the following: "department"; Amend Section 5, page 3, line 16, by striking out after the word "The" and before the word "shall", the following: "Commission", and inserting in lieu thereof, the following: "department;" Amend Section 6, page 3, line 22, by striking out after the word "the" and before the word "to", the following: "Commission", and inserting in lieu thereof, the following: "department"; Amend Section 8, page 4, line 5, by striking out after the word "the" and before the word "for", the following: "Commission", and inserting in lieu thereof, the following: "Department of Commerce."

On the question,

Will the Senate concur in the amendments?

SENATE NON-CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 8

Mr. HEYBURN. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 8.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 61 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 61, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows.

Amend Section 2, page 3, line 5, by striking out after the word "bonds" and before the word "by", the following: "acquired", and inserting in lieu thereof, the following: "required".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 65 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 65, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, lines 1 and 2, by striking out after the word "of" on line 1, and before the word "or", on line 2, the following: "one hundred eighty-one thousand five hundred dollars ($181,500)", and inserting in lieu thereof, the following: "two hundred thousand dollars ($200,000)".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 66 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 66, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, lines 2 and 3, by striking out after the dark face brackets on line 2, and before the word "is" on line 3, the following: "one hundred seventy thousand dollars ($170,000) and inserting in lieu thereof, the following: "two hundred thousand dollars ($200,000)"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 349 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 349, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, line 5 of the title, by inserting after the word "district", the following: "and authorizing the Pennsylvania Turnpike Commission to pay certain moneys into the State Treasury for the taking of certain lands; Amend the bill, page 3, by inserting between lines 15 and 16, the following: "Section 2 The Pennsylvania Turnpike Commission is hereby authorized to pay into the State Treasury such sum as may be agreed upon between the said commission and the Department of Welfare of the Commonwealth as a proper consideration for land taken for the construction of its highways and for the erection of a restaurant and service station as set forth in the preamble of this act for the purpose of reimbursing the Somerset County Institution District for the difference between the value of land intended to be reconveyed by the Commonwealth to the said district and the land remaining for such reconveyance after such taking; Amend Section 2, page 3, line 16, by striking out after the word "Section" and before the word "The", the following "2", and inserting in lieu thereof, the following: "3"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 373 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 373, on concurrence in House Amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 373, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering: regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties" by further regulating the practice of barbering and the registration of barber shops, managers and owners of barber shops, barbers, teachers of barbering, students and apprentices

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, lines 12 and 13, by striking out after the word "shops" on lines 12, and before the word "barbers" on line 13, the following: "managers and owners of barber shops"; Amend Section 1, section 3, page 4, lines 2, 3 and 4, by striking out after the word "occupation" on line 2, and before the word "or" on lines 4, the following: "in registered barber shops or to practice such occupation as an owner or manager of a registered barber shop or shops"; Amend Section 1, section 3, page 4, line 6, by striking out after the word "teacher" and before the word "may", the following: " or as an owner or manager"; Amend Section 1, section 3, page 4, by striking out lines 19 to 29, inclusive"; Amend Section 1, section 3, page 5, by striking out lines 1 to 4, inclusive"; Amend Section 1, section 4, page 6, line 14, by striking out after the word "years" and before the word "prior", the following: "immediately"; Amend Section 1, section 5, page 6, line 26, by striking out the light-faced bracket after the word "registered" and before the word "barber"; Amend Section 1, section 5 page 6, line 26, by striking out the light-faced bracket after the word "of" and before the word "owner"; Amend Section 1, section 5, page 6, lines 26 and 27, by striking out after the word "of" on line 26 and before the word "this" on line 27, the following: "owner or manager of a barber shop in"; Amend Section 1, section 5, page 7, line 7, by striking out the light-faced bracket after the word "of" and before the word "one"; Amend Section 1, section 5, page 7, line 7, by striking out the light-faced bracket after the word "dollar" and before the word "two"; Amend Section 1, section 5, page 7, lines 7 and 8, by striking out after the word "dollar" on line 7, and before the word "to" at the end of line 8, the following: "two dollars which permit shall be valid for two years;" Amend Section 1, section 5, page 7, line 9, by striking out the light-faced brackets before and after the word "barber"; Amend Section 1, section 5, page 7, line 10, by striking out at the beginning of the line and before the word "or", the following: "owner or manager"; Amend Section 3, section 7, page 8, lines 10, 11, and 12, by

striking out after the word "barbering" on line 10, the following: "in any registered barber shop or to practice the occupation of barbering as an owner or manager of a registered barber shop"; Amend Section 3, section 7, page 8, by striking out after the word "serve" on line 17, the following: "A separate shop registration certificate shall be furnished to the owner of each barber shop registered under this act which shall be displayed with the certificate of the owner or manager actually conducting such shop;" Amend Section 4, section 8, page 8, line 26, by striking out the light-faced bracket after the figure "8" and before the word "The"; Amend Section 4, section 8, page 8, line 26, by striking out the light-faced bracket after the word "certificate" and before the word "Each"; Amend Section 4, section 8, page 8, lines 26 and 27, by striking out after the word "certificate" on line 26 and before the word "shall" on line 27, the following: "Each of the aforesaid certificates"; Amend Section 4, section 8, page 9, lines 4 and 5, by striking out after the word "certificate" on line 4, and before the word "on" on line 5, the following: "or of a shop certificate as the case may be"; Amend Section 4, section 8, page 9, line 8, by striking out at the beginning of the line and before the word "shall", the following: "or continues the operation of such shop"; Amend Section 5, section 10, page 11, lines 9, 10 and 11, by striking out after the word "person" on line 9, and before the word "to" on line 11, the following: "to own or manage a barber shop open for business unless such shop is registered for the current year or"; Amend Section 5, section 10, page 11, line 15, by striking out the light-faced brackets before and after the word "and"; Amend Section 5, section 10, page 11, lines 15 and 16, by striking out after the word "approval" on line 15, and before the word "of" on line 16, the following: "and registration"; Amend Section 5, section 10, page 11, line 18, by striking out after the word "approved" and before the word "It", the following: "and registered"; Amend Section 5, section 10, page 12, line 10, by strkiing out the light-faced brackets before and after the word "permit"; Amend Section 5, section 10, page 12, line 10, by striking out after the word "permit" and before the word "hereinafter", the following: "certificate"; Amend Section 5, section 10, page 12, line 11, by striking out the light-faced bracket after the word "or" and before the word "both"; Amend Section 5, section 10, page 12, line 12, by striking out the light-faced bracket after the word "permit" and before the word "any"; Amend Section 5, section 10, page 12, line 12, by striking out after the word "permit", the following: "any or all of said certificates"; Amend Section 7, section 12, page 13, line 6, by striking out the light-faced bracket after the word "a" and before the word "permit"; Amend Section 7, section 12, page 13, line 6, by striking out the light-faced bracket after the word "or" and before the word "registration"; Amend Section 7, section 12, page 13, line 6, by striking out the light-faced bracket after the word "certificate" and before the word "to"; Amend Section 7, section 12, page 13, line 6, by striking out the light-faced bracket after the word "so" and before the word "for"; Amend Section 7, section 12, page 13, lines 6 and 7, by striking out after the word "so" on line 6, and before the word "and" on line 7, the following: "for such shop or school"; Amend Section 7, section 12, page 13, line 9, by inserting after the word "dollars" and before the word "and", the following: "for each permit".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 393 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 393, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 393, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities and regulating the exercise, surrender or abandonment of their powers, privileges and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations including to a limited extent, municipal corporations subject to this act and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration relocation protection, or abolition of crossing of facilities of public utilities and of such facilities by or over public highway to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in

connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties fines and imprisonment for violation of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the bill, page 9, by inserting at the end of Section 2, the following: "Section 2 The provisions of this amendment shall be effective until the termination of hostilities in the present war and for six months thereafter The termination of hostilities shall be the date proclaimed by the President of the United States as the date of such termination or the date specified in a concurrent resolution of the two houses of Congress"

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman
Carr,	Heyburn	McCreesh	Tyler,
Chapman	Holland,	McGinnis	Wagner,
Coleman	Homsher	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden	Woodward,
Dent,	Kephart	Stevenson	Wade
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 667 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 667, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 667, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utlity business, by prescribing, defining, and limiting their duties, powers, and liabilities and regulating the exercise, surrender or abandonment of their powers privileges and francises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicles; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violation of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the bill, page 9, by inserting at the end of Section 2, the following: "Section 3 The provisions of this amendment shall be effective until the termination of hostilities in the present war and for six months thereafter The termination of hostilities shall be the date proclaimed by the President of the United States as the date of such termination or the date specified in a concurrent resolution of the two houses of Congress."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,

Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 175 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 175, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 175, entitled:

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 8, page 10, line 8, by striking out the dark faced bracket after the word "of" and before the word "July"; Amend Section 8, page 10, line 8, by striking out after the word "July" and before the word "one", the following: "[January;" Amend Section 8, page 10, line 8, by striking out the dark faced bracket after the word "hundred" and before the word "forty-"; Amend Section 8, page 10, line 8, by striking out after the word "five", the following: "[forty-six".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 745 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 745, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 745, entitled:

An Act authorizing the Pennsylvania Historical Commission to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County; providing for the control and management thereof; authorizing the Pennsylvania Historical Commission to cooperate with other certain organizations; and making an appropriation

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, line 1 of the title, by inserting after the word "to" and before the word "erect", the following: "acquire by gift or purchase and to;" Amend the title, line 6 of the title, by inserting after the word "with" and before the word "other", the following: "the Federal Government or any agency thereof or with;" Amend the title, line 6 of the title, by striking out after the word "other" and before the word "organizations", the following: "certain"; Amend Section 1, page 2, line 3, by striking out after the word "Historical" and before the word "for", the following: "Society"; and inserting in lieu thereof, the following: "Commission"; Amend Section 2, page 2, lines 6 and 7, by striking out after the word "Commission" on line 6, and before the word "is" on line 7, the following: "after said property has been acquired"; Amend Section 2, page 2, lines 8, 9 and 10, by striking out after the word "the" on line 8, and before the word "in" on line 10, the following: "Daughters of the American Colonists and other interested patriotic societies of the Nation and Commonwealth"; and inserting in lieu thereof, the following: "Federal Government or any agency thereof or with any other interested organization"; Amend Section 2, page 2, line 10, by inserting after the word "the" and before the word "proper," the following: "erection of a"; Amend Section 2, page 2, lines 10 and 11, by striking out after the word "authentic" on line 10, and before the word "replica" on line 11, the following: "restoration of a"; Amend Section 2, page 2, line 15, by striking out at the beginning of the line and before the word "has", the following: "restoration of Fort Pitt," and inserting in lieu thereof, the following: "memorial"; Amend Section 4, page 2, line 24, by inserting after the word "authorized" and before the word "to", the following: "to accept any and all moneys offered by the Federal Government or any agency thereof for the purpose of carrying out the provisions of this act and"; Amend Section 4, page 2, lines 24 and 25, by striking out after the word "with" on line 24, and before the word "patriotic" on line 25, the following: "the Daughters of the American Colonists and other"; and inserting in lieu thereof, the following: "any and all"; Amend Section 4, page 2, line 28, by striking out after the part-word "scription" and before the word "for," the following: "through the efforts of said patriotic societies"; Amend Section 4, page 3, lines

1 to 5, inclusive, by striking out after the word "memorial" on line 1, the following: "provided that such moneys shall be accepted by the Pennsylvania Historical Commission in trust and administered in accordance with the statutes providing for the powers and duties of said commission".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL No. 723

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 723, entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine, of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court, providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further regulating judicial review

with the information that the House has passed the same without amendment.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 5, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DAUPHIN COUNTY

Geo. M. Rudy, Harrisburg.
Miss Sara A. Rudy, Harrisburg.

ERIE COUNTY

Miss Ruth O. Ecklund, Erie.
Mss Rita M. Mainzer, Erie.

LANCASTER COUNTY

Clarence B. Mellinger, New Holland.

NORTHUMBERLAND COUNTY

Lewis S. Sober, Sunbury.
Victor G. Varano, Kulpmont.

PHILADELPHIA COUNTY

Joseph A. Jardel, Phila., 7253 Rising Sun Ave.
Miss Edna A. McCloskey, Phila., Phila. Signal Depot, 500 Wissahickon Ave.
Francis M. Smith, Phila., 813 E. Allegheny Ave.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wagner,

Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Wade,
DiSilvestro,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 806, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth

House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals providing for the licensing of such business and the cancellation of such licenses authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department and providing penalties

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (George N. Wade) in the Chair.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until five o'clock p. m., Eastern War Time.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

The PRESIDING OFFICER (Jacob W. Carr) in the Chair.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. FARRELL,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Northumberland County Board of Assistance:

Chester Alexander (Republican), 536 Broadway, Milton, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

H. H. Haddon (Republican), Sunbury Daily Item, Sunbury, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

Mattison A. Burt (Republican), 197 North Marshall Street, Shamokin, Northumberland County, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Richard McKeever, Shamokin, whose term expired.

Russell Rickert (Republican), 341 South Market Street, Shamokin, Northumberland County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, to fill a vacancy.

Joseph T. Wasilewski (Democrat), 856 Chestnut Street, Kulpmont, Northumberland County, to serve until December 31, 1945, and until his successor is duly appointed and qualified. (Reappointment)

Lester R. Wehry (Republican), 328 West Avenue, Mt. Carmel, Northumberland County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Joseph Zecoski, Mt. Carmel, whose term expired.

Mrs. Natalie Swaboski (Republican), 327 South Poplar Street, Mt. Carmel, Northumberland County, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Ida Butts Morse, Mt. Carmel, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Shamokin State Hospital, for terms of four years, and until their successors are qualified:

Frederick D. Kessler, Northumberland, Northumberland County, to fill a vacancy.

Charles Frye, Bear Valley Avenue, Shamokin, Northumberland County, to fill a vacancy.

William Thew, R. D. 2, Shamokin, Northumberland County, to fill a vacancy.

John Oshinskie, National Dime Bank Building, Shamokin, Northumberland County, to fill a vacancy.

Richard P. Bridy, 26 West Avenue, Mt. Carmel, Northumberland County, to fill a vacancy.

Clayton Stashinski, 124 South Market Street, Mt. Carmel, Northumberland County, to fill a vacancy.

Thomas E. Williams, 201 West Avenue, Mt. Carmel, Northumberland County, to fill a vacancy.

H. Wilson Lark, Shamokin, Northumberland County, to fill a vacancy.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of West Chester State Teachers' College, to serve until the third Tuesday of January, 1951, and until their successors shall have been appointed and qualified:

Mrs. Irma P. Knauer, Brookwood, Pottstown, Montgomery County.

Frank F. Truscott, 929-33 Land Title Building, Philadelphia, Philadelphia County.

John L. Johnson, 110 South High Street, West Chester, Chester County.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. FARRELL,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers.	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade.
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward.
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 660, entitled:

An Act to add section thirty-one point one, to repeal in part section thirty-two and to amend section thirty-three of the act approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," further regulating the sale of real property for the nonpayment of tax and municipal claims where a city of the first class is the claimant providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale and eliminating the right of redemption after such sales.

The PRESIDING OFFICER. The report of the Committee of Conference will be laid on the table.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 548

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

The PRESIDING OFFICER. The report of the Committee of Conference will be laid on the table.

CONCURRENT RESOLUTIONS

He also presented extract from the Journal of the House, which was twice read as follows:

CONFEDERATE FLAGS TO BE RETURNED TO STATES WHOSE REGIMENTS CARRIED THEM

In the House of Representatives, April 26, 1945.

In a glass case in a room of the Museum Building, there are now displayed the regimental flags of several Confederate Regiments.

They represent the valor of the Pennsylvania organizations which were responsible for their capture, but the years have paled the flags and although the valor and bravery of those who captured them has not dimmed, the reason for the retention of those flags as evidence of that valor and bravery, is no more.

The Nation exists today united and undivided, and the flags that now are displayed in our Museum are as much a part of the records and archives of the States whose men at arms carried them into battle, as they are of Pennsylvania whose soldiers carried them out of battle. It is therefore fitting that they should now be returned to the States from which they came therefore be it

Resolved (if the Senate concurs), by the General Assembly of the Commonwealth of Pennsylvania, That His Excellency, the Governor of the Commonwealth, is hereby requested and authorized to have the flags of the several Confederate Regiments that are now on display in the Museum Building removed therefrom, and that after the said flags have been repaired and made safe for transport that His Excellency, the Governor, shall at a time and place and in such manner as he deems proper return the said flags into the custody of the States whose regiments carried them, in order that they may there be preserved as mementoes of those regiments

Resolved, That a copy of this resolution shall be transmitted to His Excellency, the Governor, by the Chief Clerk of the House of Representatives.

The PRESIDING OFFICER. The resolution will be laid on the table.

He also presented extract from the Journal of the House, which was twice read as follows:

COMMITTEE TO INVESTIGATE LAWS, ETC., PERTAINING TO DEPARTMENT, HIGHWAYS

In the House of Representatives, April 30, 1945.

Be It Resolved (if the Senate concurs), That there is hereby created a special committee to consist of five members of the House of Representatives to be appointed by the Speaker of the House and five Senators to be appointed by the President Pro Tempore of the Senate the duty and authority of which committee shall be to make upon the part of the General Assembly a careful, thorough and impartial study and examination of

(1) The various laws and statutes of the Commonwealth pertaining or relating to the jurisdiction, duties and powers of the Department of Highways its officers, employees, and personnel, and

(2) The various laws and statutes of the Commonwealth pertaining or relating to the construction, maintenance and supervision of highways and bridges in the Commonwealth, and

(3) The regulations, practices, records and activities of the Department of Highways of the Commonwealth in relation to the administration of the duties and powers vested in such department, as well as in connection with the construction, maintenance and supervision of highways and bridges.

The committee is hereby authorized and directed to take testimony of such witnesses and to examine such papers and records as the committee may deem necessary to effectuate its study and examination.

This committee shall have the power to sit and continue its studies and investigations after the adjournment of this current session of the General Assembly.

During the interim between the current and the next regular session of the General Assembly this committee may from time to time report to the Governor of the Commonwealth their findings and recommendations, and such committee shall report to the General Assembly at its next regular session, its findings and its recommendations as to such changes, revisions or improvements as it may find to be necessary or desirable to correct any imperfections, insufficiencies and defects in the law and statutes or to correct any abuses and evils in the administration of the affairs of the said Department of Highways.

The committee shall have the right and authority to request any person or persons to appear before them and to answer any questtions touching on matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary.

The Secretary of Highways and his Department are hereby requested to furnish unto said committee such information and such assistance as the committee may require and request and the Secretary of Highways is requested to authorize and direct the appearance before said committee of such persons officers officials or employes of the Department as the committee may designate and request.

The PRESIDING OFFICER. The resolution will be laid on the table.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 967, entitled:

An Act relating to the lien of mortgages, defeasible deeds in the nature of mortgages, and confession of judgments; and protecting the lien of mortgages given by purchasers to sellers, if recorded within thirty days from the date of such mortgage.

Which was committed to the Committee on Public Health.

AMENDMENT TO HOUSE BILL No. 295 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 295, entitled:

An Act to repeal obsolete and supplied penal laws.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

AMENDMENT TO HOUSE BILL No. 528 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329).

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL NO. 57 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an approprition for pay-

ment of expenses and costs of publication and distribution of the Pennsylvania Register

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL NO. 106 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 106, entitled:

An Act to further amend sections two hundred twenty, and two hundred eighty-five of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters, and the boundary lakes, and boundary rivers of the Commonwealth," increasing the resident fishing license fee; and limiting the use of the money derived from such increase

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 538 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 538, entitled:

An Act to amend section eight of the act, approved the eighth day of May, one thousand nine hundred forty-four (Act No. 2), entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1343), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" by further regulating the disposition of military files

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 539 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May, one thousand nine hundred forty-four (Act No. 1) entitled, "A Supplement to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1033), entitled 'An act concerning elections, including general municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" further regulating the disposition of military files.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 687 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 687, entitled:

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

HOUSE CONCURS IN SENATE BILL No. 88

He also returned to the Senate, Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 157

He also returned to the Senate, Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlements thereof

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 191

He also returned to the Senate, Senate Bill No. 191, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and

limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assesment shall be made upon the Commonwealth in the elimination of any grade crossing thereon, authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," establishing an additional route in the city of Altoona

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 312

He also returned to the Senate, Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" increasing the pension of a blind person

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 387

He also returned to the Senate, Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice osteopathic medicine in the State of Pennsylvania

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 578

He also returned to the Senate, Senate Bill No. 578, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen, and section nine hundred seventy-eight point one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special, and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating certain filing fees required by said act

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 599

He also returned to the Senate, Senate Bill No. 599, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE Bill No. 600

He also returned to the Senate, Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties;

and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign non-profit corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 625

He also returned to the Senate, Senate Bill No. 625, entitled:

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the number of apprentices in beauty shops

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 642

He also returned to the Senate, Senate Bill No. 642, entitled:

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh, and providing for the same as a post-war project

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 749

He also returned to the Senate, Senate Bill No. 749, entitled:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention, diagnosis, care and treatment of rheumatic fever and rheumatic heart disease

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 750

He also returned to the Senate, Senate Bill No. 750, entitled:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts; authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions; and to improve or erect buildings thereon; providing for the administration of relocated or new institutions; and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 765

He also returned to the Senate, Senate Bill No. 765, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governer, to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct, alter, improve and equip such property for use of the Commonwealth, providing for the maintenance thereof, and making an appropriation

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 770

He also returned to the Senate, Senate Bill No. 770, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor

with the information that the House has passed the same without amendments.

CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 156, as follows:

An Act making an appropriation to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of nineteen million nine hundred eighty-five thousand dollars ($19,985,000) is hereby appropriated to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare and not more than eight million dollars ($8,000,000) of this appropriation shall be expended on penal or correctional institutions

Section 3 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 163, as follows:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) are hereby further amended to read as follows

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

(a) To determine value standardize and regulate the preliminary education both secondary and collegiate of those to be hereafter [admitted to the practice of medicine dentistry and pharmacy in this Commonwealth] licensed to practice any profession or work at any trade or occupation in this Commonwealth for which licenses are issued by the Department of Public Instruction or any other department of the Commonwealth but this provision shall not affect educational requirements as now provided by law for any profession trade or occupation

* * * * *

(d) To hold examinations in secondary school subjects at suitable times and places to be designated by the Superintendent of Public Instruction for the determination of the fitness of applicants unable to present satisfactory certificates and to issue certificates to those found proficient

* * * * *

(f) To determine and publish a standard high school course to compile and cause to be published from time to time a list of elementary and secondary schools in this State which conform to the official standards promulgated by the department and take such steps as may be appropriate to raise the standard of elementary and secondary education Provided That nothing in this section shall be constructed to conflict with the provisions of the statutes of this Commonwealth regulating the [practice of medicine dentistry or pharmacy respectively] right to practice any profession or to work at any trade or occupation for which licenses are issued by the Department of Public Instruction

* * * * *

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 568, on final passage, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 690, as follows:

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" are hereby amended to read as follows

An Act relating to the support of indigent persons [publicly cared for or assisted] providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father and mother of every indigent person whether a public charge or not shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 872, as follows:

An Act to provide revenue for State purpose by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons cooperative agricultural associations having capital stock State and county officers boards and departments and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Co-operative Agricultural Association Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Co-operative Agricultural Association" An incorporated co-operative agricultural association composed of persons engaged in agriculture and instituted for the purposes of mutual help having capital stock either organized under the laws of this Commonwealth the United States or any state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership or association

"Association" Means any co-operative agricultural association as hereinbefore defined

"Department" The Department of Revenue of this Commonwealth

"Net Income" In case the entire business transacted

by the association is transacted within this Commonwealth net income for the calendar year or fiscal year shall be only an amount equal to the sum of the dividends declared or declared and paid on the shares of common and preferred stock during the year

In case the entire business is not transacted by the association within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income for the calendar or fiscal year as defined herein as shall be attributed to business transacted in this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross receipts received from business transacted within the Commonwealth and of which the denominator is the amount of the gross receipts received from all the business

Section 3 Imposition of Tax Every association shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in the Commonwealth by or in the name of itself or any other person partnership or association a State excise tax at the rate of four per centum (4%) per annum upon each dollar of the net income which tax shall be collected in lieu of any other excise tax including corporate net income tax or property tax The property shall be free from any county tax excepting tax on real estate

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every association liable to pay tax under this act on or before the fifteenth day of April of each year to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act

The failure of any association liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report Every association upon the date its report is required herein to be made shall pay to the department the tax due to the Commonwealth by it for the preceding year

The amount of the tax imposed under this act not paid on or before the time as above provided shall bear interest at the rate of six per centum (6%) per annum from the date it is due and payable until paid Provided however That any association may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the amount of such association which may be used by it in the manner prescribed by law

If the officers of any association shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum (10%) of the amount of the tax shall be added by the department to the tax determined to be due

If any association closes its fiscal year not upon the thirty-first day of December but upon some other date such association shall certify such fact to the Department of Revenue and shall make the report herein required on or before the fifteenth day of the fourth month after the close of its fiscal year

Section 5 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the association required to file such report an extension of not more than sixty (60) days within which such report may be filed but the amount of tax due shall in such cases nevertheless be subject to interest from the due date and at the rate fixed by this act

Section 6 Settlement and Resettlement (a) All tax due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such association The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon business corporations

(c) If within a period of two (2) years after the date of any settlement the department is not satisfied with such settlement the department is hereby authorized and empowered to make a resettlement of the tax due by such association based upon the facts contained in the report or upon any information within its possession or that shall come into its possession.

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the association with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any association shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such association and subject to audit and approval by the Department of Auditor General settle the amount due by it for tax penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 7 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of tax penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business transacted by any association in order to verify the accuracy of any report made, or if no report was made by such association to ascertain and settle the tax imposed by this act Every such association is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) or more than one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act

and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 8 Retention of Records by Associations Penalty Each association shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of business transacted by it within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 9 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of willful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any association liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 10 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 This act shall become effective immediately upon its final enactment and its provisions shall be applicable to settlements of tax for the calendar year ending the thirty-first day of December one thousand nine hundred forty-four or fiscal year ending in the calendar year one thousand nine hundred forty-five and every year thereafter

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Haluska,	Margie,	Troutman,
Blass,	Heyburn,	McCreesh,	Tyler,
Bowers,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Rosenfeld,	Wagner,
Coleman,	James,	Ruth,	Walker,
Cox,	Jaspan,	Scarlett,	Wilson,
Crider,	Jones,	Snowden,	Woodring,
Crowe,	Kephart,	Stevenson,	Woodward,
Dent,	Klein,	Stiefel,	Carr,
DiSilvestro,	Leader,	Tallman,	Presiding Officer
Ealy,			

NAYS—1

Gourley,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT OF COMMITTEE OF CONFERENCE OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that the report of the Committee of Conference on Senate Bill No. 52, entitled:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 658

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on Senate Bill No. 658, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 658, entitled: "An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions, and the payment of such compensation; providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer; and prescribing penalties'; changing the provisions thereof and the rights, obligations and procedure thereunder."

Respectfully submit the following bill as out report:

JAMES S. BERGER,
A. H. LETZLER,
LOUIS KLEIN,
(Committee on the Part of the Senate.)

DAVID P. REESE, Jr.,
JACK J. McDOWELL,
REUBEN E. COHEN,
(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a sys-

tem of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 271) and by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) ["Base year" with respect to an individual means the period of twelve consecutive months ending the thirty-first day of December immediately preceding the first day of a benefit year Provided however That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three the base year of such benefit year shall be the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year]

"Base Year" with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the calendar year one thousand nine hundred and forty-four and with respect to each benefit year which begins subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year

(b) ["Benefit year" with respect to an individual means the period of twelve consecutive months ending thirty-first day of May Provided however That (for the purpose of this subsection only) a week in which a benefit year begins shall be deemed to be in that benefit year which includes the major part of such week and Provided further That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three such benefit year shall be the period defined in this subsection prior to the effective date of this amendment and such individual's next benefit year shall extend from the end of such current benefit year to the thirty-first day of May one thousand nine hundred and forty-four]

"Benefit Year" (i) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the period beginning with the day for which such "Valid Application for Benefits" is filed and ending the thirty-first day of May one thousand nine hundred and forty-six (ii) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the one-year period beginning with the day as of which such "Valid Application for Benefits" is filed and (iii) thereafter the one-year period beginning with the day as of which such individual next files a "Valid Application for Benefits" after the termination of his last benefit year

[(b.2) A "First Compensable Claim" means a claim for the first week of total unemployment for which compensation is payable in a benefit year]

(e) "Compensated Employe" (i) with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means an employe to whom compensation equal to three times his weekly benefit rate was paid with respect to such benefit year Provided That an employe who is paid compensation under the provisions of section four hundred and seven shall not be considered a "Compensated Employe" with respect to the payment of such compensation and Provided further That when an employe has been paid compensation to which he was not entitled such payment shall not be considered in determining whether or not the employe has been paid compensation equal to three times his weekly benefit rate except that this provision shall not affect the computation of an employer's rate of contribution if such payment was not determined erroneous prior to such computation unless such payment was determined erroneous under a court decision and (ii) with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means an employe to whom compensation was paid in such benefit year

[(e)] (f) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

[(f)] (g) "Contributions" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

[(g)] (h) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

[(h)] (i) "Employe" means every individual whether male female citizen alien or minor who is performing or subsequent to January first one thousand nine hundred and thirty-six has performed services for an employer in an employment subject to this act

[(i)] (j) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty (20) days each day being in a different calendar week during the calendar year one thousand nine hundred and thirty-six or during any calendar year thereafter to and including the calendar year one thousand nine hundred and forty-four or who or which employed or employs any employe in employment subject to this act for some portion of a day during the calendar year one thousand nine hundred and forty-five or for some portion of a day during any calendar year thereafter [each day being in a different week] or (II) who or which has elected to become fully subject to this act and whose election remains in force

[Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such emloyer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor] Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

[Wherever a change of ownership or transfer of interest of the assets or substantially all the assets of an organization trade or business occurs within a calendar year the successor in interest is deemed to be an employer within the meaning of this section if and when (1) the predecessor and successor in interest within the same calendar year have together employed one or more employes (whether or not the same employe) for some part of twenty (20) different weeks in employment subject to this act (2) the predecessor was an employer under this act]

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes with respect to which no contributions are required and paid under an unemployment compensation law of any other state (1) if the employe or employes included in such election maintain a domicile within this Commonwealth and the services of such employe or employes are performed entirely without this Commonwealth or (2) if the employe or employes included in the election maintains no domicile within this Commonwealth but the services of such employe or employes are (A) performed without this Commonwealth and (B) are directed from this Commonwealth

Such election shall be subject to the approval of the department [the election] and shall become binding for not less than two calendar years [or until the department on its own motion cancels the election]

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection [(j)] (1) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of the first day of January [first] of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election Notwithstanding any provisions of this subsection to the contrary the department may at any time on its own motion cancel an election approved under the provisions of this subsection

(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employe" as defined in subsection (y) of this section paid by an employer to all of his compensated employes during the last three calendar years less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such three calendar years by the total wages paid by the employer to all his employes during such three calendar years

[(j)] (1) (1) "Employment" means (i) all service performed prior to the first day of January one thousand nine hundred [forty-two] forty-five which was employment as defined in this section prior to [such date and subject to the provisions of this subsection as amended] the effective date of this amendment and (ii) all service performed after the thirty-first day of December one thousand nine hundred [forty-one] forty-four which is employment as defined in this section as hereby amended including service in interstate commerce and service as an officer of a corporation performed for remuneration or under any contract of hire express or implied written or oral

* * * * * *

(3) "Employment" shall also include

(A) Services covered by an election pursuant to section 4 [(i)] (j) of this act and

* * * * * *

(C) Notwithstanding any other provisions of section four (1) an individual's entire services as an officer or member of a crew of an American vessel wherever performed and whether in intra-state or inter-state or foreign commerce if the employer maintains within this state the operating office from which the operations of the American vessel in respect to which such services are performed are ordinarily and regularly managed supervised and controlled

(4) The word "employment" shall not include

* * * * * *

(2) [Domestic] Casual labor not in course of employer's trade or business and domestic service in a private home local college club or local chapter of a college fraternity or sorority

[(2.1) Casual labor not in course of employer's trade or business]

(3) Service performed as an officer or member of the crew of a vessel [on the navigable waters of the United States] not an American vessel

* * * * * *

(10) Service performed in the employ of [a labor] an agricultural or horticultural organization exempt from income tax under Section 101 (1) of the Federal Internal Revenue Code as amended

* * * * * *

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or distribution to any point for subsequent delivery or distribution

[If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none

of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) hereof]

* * * * * *

(5) If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) of subsection (I) (4) of this section

(6) Notwithstanding any of the other provisions of section four (1) services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State Unemployment Compensation Fund

[(k)] (m) "Employment Office" means a public employment office or branch thereof operated by the department or by any other state or by the Federal Government under agreement with the department

[(m)] (n) "Referee" means a referee appointed [by the Governor] to hear appeals under this act

[(n)] (o) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

[(o)] (p) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a "Social Security Board to raise revenue and for other purposes" as amended

[(p)] (q) "Social Security Board" means the Social Security Board established by the Social Security Act

[(q)] (r) "State" includes Alaska Hawaii and the District of Columbia

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such Fund during the last three completed calendar years by the total wages of all compensated employes as defined in subsection (y) of this section for such three calendar years such percentage to be adjusted to the nearest multiple of one percentum

[(r)] (t) "Suitable Work" means all work which the employe is capable of performing [except work in which] In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness prior training and experience and the distance of the available work from his residence The department shall also consider among other factors the length of time he has been unemployed and the reasons therefor the prospect of obtaining local work in his customary occupation his previous earnings the prevailing condition of the labor market generally and particularly in his usual trade or occupation prevailing wage rates in his usual trade or occupation and the permanency of his residence However notwithstanding any other provisions of this subsection no work shall be deemed suitable in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

[(s)] (u) "[Total] Unemployment" An individual shall be deemed [totally] unemployed with respect [(1)] to any week during which he performs no services [for which] and with respect to which no remuneration is paid or payable to him or [(2) to any week of less than full-time work if the remuneration paid or payable to him does not exceed three dollars ($3.00)] with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed in accordance with rules and regulations of the department remuneration paid or payable with respect to the week or weeks for which such payments are made

[(t)] (v) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(w) A "Valid Application for Benefits" means an application for benefits on a form prescribed by the department which is filed by an individual as of a day not included in the benefit year previously established by such individual who is qualified under the provisions of Section four hundred and one (a)

[(u)] (x) "Wages" means all remuneration for employment (including the cash value of mediums of payment other than cash) paid with respect to all services performed subsequent to December thirty-first one thousand nine hundred and forty-one and paid or payable with respect to all services performed prior to January first one thousand nine hundred and forty-two except that the term "wages" shall not include

(1) That part of the remuneration which after remuneration equal to three thousand dollars ($3,000) has been paid [or becomes payable] to an individual by an employer with respect to employment during [or for] any calendar year is paid [or becomes payable] to such individual by such employer with respect to employment during the calendar year one thousand nine hundred and forty and during each calendar year thereafter

(2) The amount of any payment made to or on behalf of an employe under a plan or system established by an employer which makes provision for his employes generally or for a class or classes of his employes (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employe (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his with-

drawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employe) of the tax imposed upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments made by an employer to employes while in the military or naval service of the United States and performing no services for the employer

(y) "Wages of a Compensated Employe" with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars ($1,366) in wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employe's weekly benefit rate

[(v)] (z) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(z.1) "American vessel" means any vessel documented and numbered under the laws of the United States including any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state

(z.2) "Shipping Articles" means 'Articles of Agreement' purporting to comply with section five hundred sixty-four of Title forty-six of the United States Code or any other agreement under which officers or members of the crew are employed on the high seas and under which they are not entitled to a final settlement of wages until the termination of the period of the employment

Section 2 Section two hundred and two of said act as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) is hereby further amended to read as follows

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such offices and in the department as he may deem necessary to administer this act subject to the provisions of [section two hundred and eight of this act] the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752)

The department is authorized to cooperate with or to enter into agreements with the Railroad Retirement Board or any other agency of the United States charged with the administration of an unemployment compensation law with any political subdivision of this State or with any private nonprofit organization with respect to the establishment maintenance and use of free employment service facilities and free public employment offices and as a part of any such agreement may accept moneys services or quarters as a contribution to the administration fund

Section 3 Clause (e) of section two hundred and three of said act is hereby amended to read as follows

(e) The Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board Such appointment shall be subject to the provisions of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752) Provided That any person who on the first day of April one thousand nine hundred and forty-five was employed as a referee may make application to the Civil Service Commission prior to the first day of July one thousand nine hundred and forty-five for appointment as a referee under the regular classified service and notwithstanding any provisions of said act or any other act to the contrary upon finding by said Commission that he or she possesses the minimum qualifications therefor shall be so appointed Any other person appointed as referee subsequent to the first day of April one thousand nine hundred and forty-five shall be appointed only in the manner provided in said act for employes in the classified service

Section 4 Section two hundred and six of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 206 Records of and Reports by Employers Each employer (whether or not liable for the payment of contributions under this act) shall keep accurate employment records containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board [and] the officers and employes of the department and [the Social Security Board] other public employes in the performance of their public duties but any [claimant] employe or employer at a hearing on an appeal [of his claim] shall upon request be supplied with information from such records to the extent necessary for the proper presentation and consideration of [his claim] the appeal

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

[Any employer required to file with the department any report necessary to enable the department to determine the amount of any contribution owing by such employer who shall neglect or refuse to do so within five days after the time such report should have been filed shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of five dollars which shall be in addition to all other penalties provided for in this act]

Any employer who has been determined by the department to be subject to the reporting provisions of this act and has been so notified and who neglects or refuses to file either the periodic report required by the department to establish the amount of such contributions or the periodic report required by the department showing the amount of wages paid to each employe or both on or before the date such reports are required to be filed shall pay a penalty of five dollars ($5.00) Such penalty shall apply to the reports for each period with respect to which such reports are required to be filed Provided That such penalty shall not apply to reports for any period with respect to which the last day for filing such reports is prior to a date on which the department has notified the employer that he has been determined an employer subject to the reporting provisions of this act unless the reports for such prior periods are not filed within thirty days after the employer has been

so notified The penalties provided by this section shall be in addition to all other penalties provided for in this act

Section 5 Section three hundred and one of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred and forty-three (P. L. 639) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contributions equal to the following percentages of wages paid or payable by him or it with respect to employment occurring prior to the first day of January one thousand nine hundred and forty-two

(1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

(2) One and eight-tenths per centum with respect to employment occurring during the calendar year 1937

(3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 and 1941 [1942 and 1943]

[(4) A basic rate of two and seven-tenths per centum with respect to employment occurring during the calendar year 1944 and for each calendar year thereafter but the rate of contribution of each employer who has paid contributions under this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year beginning with employment occurring during the calendar year 1944 between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with clause (c) hereof and for each calendar quarter in accordance with clause (f) hereof]

(b) [For the purposes of this section

(1) "Compensated Employe" means an employe to whom compensation was paid in a benefit year

(2) "Wages of a compensated employe" means wages which were paid to a compensated employe in the base year immediately preceding the employe's benefit year which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid

(3) "Credit for reemployment" means for each employer the total of the amounts allowed as herein set forth for any former employes reemployed by him or employes resuming work commencing with the benefit years which begin in the calendar year nineteen hundred forty-one An employer who desires such a "credit for reemployment" shall notify the department in writing within thirty days after the end of the employe's benefit year that he reemployed within such benefit year a compensated employe For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act whichever date is later If the department finds that any such employe did not receive benefits within such benefit year in excess of seventy-five per centum of the maximum benefits payable to him in the benefit year then for the determination of the "employer's experience" the total wages paid to such compensated employes shall be reduced by an amount equal to the percentage indicated in the following table

Maximum benefits received by an employe during a benefit year	Credit against wages paid to a compensated employe
Not more than 25%	75%
More than 25% and not more than 50%	50%
More than 50% and not more than 75%	25%

Such credits for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter shall be made for the calendar year in which the finding is made by the department and no attempt shall be made to relate such credits to the period in which the reemployment occurred

(4) "Employer's Experience" means a percentage obtained by dividing the total wages paid by an employer to his compensated employes less any credit for reemployment during the last three completed calendar years by the total wages paid by said employer to all his employes during such three calendar years

(5) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund during the last three completed calendar years by the total wages of all compensated employes for such three years such percentage to be adjusted to the nearest multiple of one per centum]

Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him or it with respect to employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one Provided That notwithstanding the provisions of this section prior to the effective date of this amendment with respect to wages paid during the calendar year one thousand nine hundred and forty-four for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during the calendar year one thousand nine hundred and forty-five for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted according to the provisions of this act prior to the effective date of this amendment and provided further that with respect to wages paid during the calendar year one thousand nine hundred and forty-six for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during each calendar year thereafter for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable Notwithstanding the provisions of section three hundred eleven any employer who prior to the enactment of this amendment may have paid contributions on wages paid during the calendar year one thousand nine hundred forty-four or one thousand nine hundred forty-five for employment occurring prior to the first day of January one thousand nine hundred forty-four at a rate of two and seven-tenths per centum such employer shall not be entitled to a refund of any portion of such contributions paid on the basis that this amendment reduces the amount of contributions required to be paid with respect to such wages but such employer may make application for adjustment in connection with subsequent contribution payments as provided in section three hundred eleven of any amount which he has paid with respect to such wages which is in excess of the amount of contributions required to be paid with respect to such wages under the provisions of this act as amended Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employe

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year commencing with the year one thousand nine hundred and

forty-four shall be determined prior to the due date of his first contribution for the year in accordance with the following table

Table

State Experience	Employer's Experience Col 1	Col 2	Col 3	Col 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there first appears a percentage equal to or in excess of the Employer's Experience If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenths per centum

(e) No employer's rate of contribution for any calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the third calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of December [31st] of such preceding calendar year and all his contributions on wages paid during the fourth calendar quarter of the preceding calendar year have been paid when due

(f) Safety factor To asure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter commencing with the calendar quarter ending [March 31 1944] the thirty-first day of March one thousand nine hundred and forty-four the balance in the Unemployment Trust Fund to the credit of the [State] Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employes [for the calendar year immediately preceding the determination] paid during the first four of the last five completed calendar quarters as reported to the department by the end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made

Balance in fund	Employer's Rate of Contribution determined in accordance with paragraph (d) 1%	1.5%	2.0%	2.5%	2.7%
	Employer's [final] adjusted rate of contribution on wages paid during the calendar quarter at the end of which the adjusted rate is computed [for employment in the previously completed calendar quarter]				
8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0% and less than 8.1%	1.1	1.6	2.1	2.6	2.7
7.9% and less than 8.0%	1.2	1.7	2.2	2.7	2.7
7.8% and less than 7.9%	1.3	1.8	2.3	2.7	2.7
7.7% and less than 7.8%	1.4	1.9	2.4	2.7	2.7
7.6% and less than 7.7%	1.5	2.0	2.5	2.7	2.7
7.5% and less than 7.6%	1.6	2.1	2.6	2.7	2.7
7.4% and less than 7.5%	1.7	2.2	2.7	2.7	2.7
7.3% and less than 7.4%	1.8	2.3	2.7	2.7	2.7
7.2% and less than 7.3%	1.9	2.4	2.7	2.7	2.7
7.1% and less than 7.2%	2.	2.5	2.7	2.7	2.7
7.0% and less than 7.1%	2.1	2.6	2.7	2.7	2.7
6.9% and less than 7.0%	2.2	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.3	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.4	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.5	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.6	2.7	2.7	2.7	2.7
[6.4 or less] Less than 6.5%	2.7	2.7	2.7	2.7	2.7

(g) Successor-in-interest (1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience shall include that part of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) An employer who subsequent to the thirty-first day of December one thousand nine hundred and forty-five transfers his or its organization trade or business in whole or in part to a successor-in-interest may jointly make application with such succesor-in-interest for transfer of the "Employer's Experience" of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer The department may allow such transfer of "Employer's Experience" pursuant to rules and regulations adopted by the department only if it finds that the "Employer's Experience" of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future "Employer's Experience" of the successor-in-interest In the event of a part transfer of an employer's organization trade or business only that portion of the "Employer's Experience" relating to the portion of the organization trade or business trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the perceding employer with respect to that part of the organization trade or business transferred A transfer of "Employer's Experience" in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be which has been thus transferred

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in the section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f) The department shall [promptly upon written request from him] furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes [the amount of benefits paid each of such employes and the period of unemployment for which they were paid] and the benefit year to which such wages relate The determination of the department shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an applica-

tion for review and redetermination setting forth his reasons therefor The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the secretary or his deputy The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section

(k) [The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature which meets after the President of the United States declares that the present state of war no longer exists]

Each employer shall be given notice of the filing of applications for benefits by his former employes as provided in section five hundred one Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any wages of a compensated employe on the grounds that he was not given sufficient or adequate notice or opportunity to be heard

(l) The provisions of this section shall be effective only for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the Legislature which meets after the President of the United States declares that the present state of war no longer exists

Section 6 Section three hundred and three of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby repealed

Section 7 Sections three hundred and eight point one three hundred and eleven and subsection (d) of section three hundred and twelve of said act as amended or added by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) are hereby amended or further amended as the case may be to read as follows

Section 308.1 Contributions to Be Liens Entry Thereof All contributions and the interest and penalties thereon due and payable by an employer under the provisions of this act shall be a lien upon the franchises and property both real and personal of the employer liable therefor from the date a lien for such contributions interest and penalties is entered of record in the manner hereinafter provided Whenever the franchises or property of an employer is sold at a judicial sale all contributions and the interest and penalties thereon thus entered of record shall first be allowed and paid out of the proceeds of such sale in the same manner and to the same extent that State taxes are paid Provided however That the lien hereby created shall not be prior to pre-existing duly recorded real estate mortgages [subject nevertheless to the order of distribution prescribed in Section 310 hereof] The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for unpaid contributions interest and penalties which may now exist or hereafter arise upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 311 Refunds and Adjustments [If not later than four years from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected for any reason whatever the department shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of moneys to the credit of the Employers' Contribution Account in the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department]

If any individual or organization shall make application for refund or credit of any amount paid as contribution interest or penalties under this act and the department shall determine that such amount or any portion thereof was erroneously collected the department may at its discretion either allow a credit therefor without interest in connection with subsequent contribution payments or shall refund from the Unemployment Compensation Fund without interest the amount erroneously paid Provided That an amount equal to any refund or credit of interest and penalties allowed as provided herein shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund irrespective of whether such interest or penalties were paid into the Unemployment Compensation Fund or into the Special Administration Fund No refund or credit shall be allowed with respect to a payment as contributions interest or penalties unless an application therefor shall be made on or before whichever of the following dates shall be the later (a) one year from the date on which such payment was made or (b) four years from the last day of the reporting period with respect to which such payment was made For a like cause and within the same period a refund may be so made or a credit allowed on the initiative of the department

Section 312 Reciprocal Agreements

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(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of this act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for [such] reimbursement to the fund of such contributions [and the actual earnings thereon as the department finds will be fair and reasonable as to all affected interests]

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits for all the purposes of this act The department is authorized to make to other state or Federal agencies and to receive from such state or Federal agencies reimburse-

ments from or to the fund in accordance with arrangements entered into pursuant to this section

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging service and making available facilities and information The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public employment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security law of this State or under a similar law of such government

(e) Services performed on vessels engaged in interstate or foreign commerce for a single employer wherever performed shall be deemed to be performed within this State or within such other states

Section 8 Section four hundred and one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hunderd and forty-three (P. L. 717) is hereby further amended to read as follows

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes [totally] unemployed [on or after January first one thousand nine hundred thirty-eight] except that payment with respect to weeks ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be made only for weeks of total unemployment as provided in section four hundred and four (c) and who

(a) Has within his base year been paid wages [of fifty dollars in each of two separate calendar quarters during his base year] for employment equal to not less than thirty (30) times his weekly benefit rate

(b) Has registered for work at [a designated employment office at such times and in such manner as the department may prescribe] and thereafter continued to report at an employment office in accordance with such regulations as the secretary may prescribe except that the secretary may by regulation waive or alter either or both of the requirements of this clause as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of the act Provided however That no such regulation shall conflict with section four hundred and one (c) of this act

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner and on the form prescribed by the department

(d) Is able to work and available for suitable work and

(e) Has been [totally] unemployed for a waiting period of [at least two weeks prior to the week for which the first compensable claim is filed The two weeks of total unemployment need not be consecutive] one week

No week shall be counted as a week of [total] unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which such employe claims compensation [Provided That the two weeks immediately preceding a benefit year shall be deemed (for the purpose of this subsection only) to be within such benefit year] or (2) if compensation has been paid or is payable with respect thereto or (3) unless the [individual] employe was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under section 402 (a) (b) [and] (d) (e) and (f)

Section 9 Section four hundred and two of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 337) is hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation [or waiting period credit] for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by [his previous employer In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence] any employer Provided That such employer simultaneously notifies the employment office of such offer

(b) In which his unemployment is due to voluntarily leaving work without good cause Provided That no employe shall be deemed to be ineligible under this section where as a condition of continuing in employment such employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by the majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions In determining whether or not an employe has left his work voluntarily without good cause the department shall give consideration to the same factors insofar as they are applicable provided with respect to the determination of suitable work under section four (t)

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) In which [the employe's total] his unemployment is due to a voluntary suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed [but this disqualification shall apply only to the week in which the suspension occurred and for the three consecutive weeks of total unemployment which immediately follow such week] Provided That this disqualification shall apply only to any week of unemployment which in whole or in part includes any part of a period beginning with the day on which such suspension occurs and ending with (i) the last day of the fourth calendar week immediately following the calendar week in which such suspension occurs or (ii) the day on which such suspension was terminated whichever is the earlier

(e) In which his unemployment is due to his discharge or temporary suspension from work for willful misconduct connected with his work

(f) Which in whole or in part includes any part of the two week period which immediately follows each period of employment under Shipping Articles

Section 10 Sections four hundred and four and four hundred and seven of said act as last amended by the act approved the twenty-seventh day of May one thou-

sand nine hundred and forty-three (P. L. 717) are hereby further amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid with respect to each eligible employe whose benefit year [began] begins prior to June first one thousand nine hundred [and forty-three] forty-five in accordance with the provisions of this act prior to that date and with respect to each eligible employe whose benefit year begins subsequent to May thirty-first one thousand nine hundred and [forty-three] forty-five [and who is totally unemployed and is not disqualified under any provisions of this act at a weekly rate and for a number of weeks to be determined in accordance with the following provisions by reference to Table I if the balance in the Unemployment Compensation Fund is in excess of one and one-half times the highest amount paid out for compensation during any twelve consecutive months or to Table II if the balance in said fund is equal to or less than one and one-half times the highest amount paid out for compensation during any twelve consecutive months as set forth in the tables in this section] in accordance with the following provisions of this section

(a) The employe's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

[(d)] (b) The "highest quarterly wages" of an employe shall be the total wages (computed to the nearest dollar) which were paid to such employe in that calendar quarter in which such total wages were highest during the base year

(c) Each eligible employe who is totally unemployed with respect to any week ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate No payment shall be made for any week ending during such period unless the employe has been totally unemployed with respect to such week and has served one waiting week as required under section four hundred one (e) Provided That with respect to such week the employe has been totally unemployed For purposes of this subsection an employe shall be deemed totally unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or to any week of less than full-time work if the remuneration paid or payable to him with respect to such week does not exceed three dollars ($3.00)

(d) Each eligible employe who is unemployed with respect to any week ending the first day of January one thousand nine hundred and forty-six or thereafter shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars ($3.00) such compensation if not a multiple of one dollar ($1.00) shall be computed to the next higher multiple of one dollar ($1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of eighteen dollars ($18)

(e) [The maximum number of weeks for which an employe may receive compensation for total unemployment during a benefit year shall be the number of weeks which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year]

Any otherwise eligible employe shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employe shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of sixteen times the employe's weekly benefit rate or two hundred and eighty-eight dollars ($288) whichever is the lesser

(f) For purposes of this section and of section four hundred one (a) wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the respective calendar quarters in which the services of the employe were being performed

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C				
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings				
		7 Wks.	8 Wks.	9 Wks.	10 Wks.	11 Wks.
$50-212	$8	$100-209	$210-237	$238-265	$266-293	$294-321
213-237	9	221-235	236-267	268-298	299-330	331-361
238-262	10	247-262	263-297	298-332	333-367	368-402
263-287	11	273-288	289-326	327-365	366-403	404-442
288-312	12	299-314	315-356	357-398	399-440	441-482
313-337	13	325-340	341-385	386-421	432-476	477-522
338-362	14	351-366	367-415	416-464	465-513	514-562
363-387	15	377-393	394-445	446-498	499-550	551-603
388-412	16	403-419	420-475	476-531	532-587	588-643
413-437	17	429-445	446-505	506-564	565-624	625-683
438 or more	18	455-472	473-535	536-598	599-661	662-724]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C				
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Earnings				
		12	13	14	15	16
		Weeks	Weeks	Weeks	Weeks	Weeks
$50-212	$8	$322-349	$350-377	$378-405	$406-433	$434 or more
213-237	9	362-393	394-424	425-456	457-487	488 or more
238-262	10	403-437	438-472	473-507	508-542	543 or more
263-287	11	443-480	481-519	520-557	558-596	597 or more
288-312	12	483-524	525-566	567-608	609-650	651 or more
313-337	13	523-567	568-613	614-658	659-704	705 or more
338-362	14	563-611	612-660	661-709	710-758	759 or more
363-387	15	604-655	656-708	709-760	761-813	814 or more
388-412	16	644-699	700-755	756-811	812-867	868 or more
413-437	17	684-743	744-802	803-862	863-921	922 or more
438 or more	18	725-787	788-850	851-913	914-976	977 or more]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C					
Highest Quarterly Earnings	Weekly Benefit Rate	Number of Benefit Weeks According to Base Year Endings					
		6 Weeks	7 Weeks	8 Weeks	9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$100-207	$208-239	$240-271	$272-303	$304-335	$336-367
213-237	9	221-233	234-269	270-305	306-341	342-377	378-413
238-262	10	247-259	260-299	300-339	340-379	380-419	420-459
263-287	11	273-285	286-329	330-373	374-417	418-461	462-505
288-312	12	299-311	312-359	360-407	408-455	456-503	504-551
313-337	13	325-337	338-389	390-441	442-493	494-545	546-597
338-362	14	351-363	364-419	420-475	476-531	532-587	588-643
363 or more	15	377-389	390-449	450-509	510-569	570-629	630-689]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C				
		Number of Benefit Weeks According to Base Year Earnings				
Highest Quarterly Earnings	Weekly Benefit Rate	12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$50-212	8	$368-399	$400-431	$432-463	$464-495	$496 or more
213-237	9	414-449	450-485	486-521	522-557	558 or more
238-262	10	460-499	500-539	540-579	580-619	620 or more
263-287	11	506-549	550-593	594-637	638-681	682 or more
288-312	12	552-599	600-647	648-695	696-743	744 or more
313-337	13	598-649	650-701	702-753	754-805	806 or more
338-362	14	644-699	700-755	756-811	812-867	868 or more
363 or more	15	690-749	750-809	810-869	870-929	930 or more]

[Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C					
		Base Year Wages					
Highest Quarterly Wages	Weekly Benefit Rate	9	10	11	12	13	14
$60-212	$8	$240-265	$266-293	$294-321	$322-349	$350-377	$378-405
213-237	9	270-298	299-330	331-361	362-393	394-424	425-456
238-262	10	300-332	333-367	368-402	403-437	438-472	473-507
263-287	11	330-365	366-403	404-442	443-480	481-519	520-557
288-312	12	360-398	399-440	441-482	483-524	525-566	567-608
313-337	13	390-431	432-476	477-522	523-567	568-613	614-658
338-362	14	420-464	465-513	514-562	563-611	612-660	661-709
363-387	15	450-498	499-550	551-603	604-655	656-708	709-760
388-412	16	480-531	532-587	588-643	644-699	700-755	756-811
413-437	17	510-564	565-624	625-683	684-743	744-802	803-862
438-462	18	540-598	599-661	662-724	725-787	788-850	851-913
463-487	19	570-632	633-698	699-765	766-831	832-898	899-964
488 or more	20	600-665	666-735	736-805	806-875	876-945	946-1015

Tables Specified for the Determination of Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C					
		Base Year Wages					
Highest Quarterly Wages	Weekly Benefit Rate	15	16	17	18	19	20
$60-212	8	$406-433	$434-461	$462-489	$490-517	$518-545	$546 or more
213-237	9	457-487	488-519	520-550	551-582	583-613	614 or more
238-262	10	508-542	543-577	578-612	613-647	648-682	683 or more
263-287	11	558-596	597-634	635-673	674-711	712-750	751 or more
288-312	12	609-650	651-692	693-734	735-776	777-818	819 or more
313-337	13	659-704	705-749	750-795	796-840	841-886	887 or more
338-362	14	710-758	759-807	808-856	857-905	906-954	955 or more
363-387	15	761-813	814-865	866-918	919-970	971-1023	1024 or more
388-412	16	812-867	868-923	924-979	980-1035	1036-1091	1092 or more
413-437	17	863-921	922-981	982-1040	1041-1100	1101-1159	1160 or more
438-462	18	914-976	977-1039	1040-1102	1103-1165	1166-1228	1229 or more
463-487	19	965-1031	1032-1097	1098-1164	1165-1230	1231-1297	1298 or more
488 or more	20	1016-1085	1086-1155	1156-1225	1226-1295	1296-1365	1366 or more

Section 407 [Status Preserved During and After Military or Naval Service The secretary is hereby empowered and directed to promulgate such rules and regulations as may be necessary to preserve the compensation rights of any employe who enters the armed forces of the United States subsequent to March thirty-first one thousand nine hundred forty and who is honorably discharged therefrom Such rules and regulations shall provide that the compensation rights of any such employe shall be preserved notwithstanding his entrance into the armed forces of the United States and such compensation rights shall not be adversely affected or prejudiced notwithstanding any inconsistent provisions of this act Provided however That no employe may be granted any right under the provisions of this section unless he shall have filed a claim for compensation within a period of one year from the date of such discharge And provided further That if under an Act of Congress payments with respect to unemployment of individuals who have completed a period of military service are payable by the United States such individuals shall be disqualified under this act for benefits until they have exhausted all their rights to such payments by the United States]

Compensation to Members of the Armed Forces An individual who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable after active service of ninety days or more or by reason of an injury or disability incurred in service in line of duty shall be entitled to payment of compensation as provided in section four hundred and four (c) (d) and (e) with respect to an employe who has been paid wages during his base year of one thousand three hundred and sixty-six dollars ($1366) or more and whose highest quarterly wages during such base year have been four hundred and eighty-eight dollars ($488) or more Provided That (a) Such individual

(i) was employed in employment as defined in section 4 (l) at some time during the one-year period immediately preceding the date on which he entered active military or naval service and (ii) makes application for benefits under the provisions of this section in the proper manner and on the form prescribed by the department (iii) makes claim for compensation in the proper manner and on the form prescribed by the department with respect to employes making claim for compensation under the provisions of other sections of this act (iv) is qualified under the provisions of section four hundred and one (b) (d) and (e) (v) is not ineligible under the provisions of section four hundred and two and (vi) has exhausted all rights to which he may be entitled under Title V of the Act of Congress known as the "Servicemen's Readjustment Act of 1944"

(b) All claims for compensation filed pursuant to the provisions of this section shall be with respect to weeks ending within the two year period immediately following the date of such individual's discharge or release from active military or naval service

(c) The maximum amount of compensation payable to an individual under the provisions of this section as amended shall be reduced by the amount of compensation if any which has been paid or is payable to such individual under the provisions of this section prior to the effective date of this amendment

(d) No individual who is entitled to compensation under the provisions of this section shall be entitled to compen-

sation under any other provisions of this act with respect to wages paid prior to the date he entered active military or naval service and

(e) No compensation shall be paid under the provisions of this section with respect to weeks ending on a day more than five years subsequent to the termination of the present war

Section 11 Section five hundred and one of said act as amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 501 [Initial Determination of Compensation Appeals The department shall promptly examine any application for benefits or claim filed and on the basis of the facts found by it shall determine whether or not the application for benefits or claim is valid The determination of any application for benefits shall include the determination of the first day of the benefit year the weekly benefit rate and the number of benefit weeks payable The claimant and other affected parties shall be promptly notified of the decision and the reasons therefor in writng except that no notification shall be necessary when the department shall approve a claim for a week of total unemployment Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal]

Determination of Compensation Appeals

(a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the "Employer's Experience of a base year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base year employer and Provided further That no notice need be given to a base year employer who has been released by the department from filing contribution reports

(b) Notice shall be given in writing to the last employer of the claimant stating that an application has been filed by the designated employe

(c) The department shall promptly examine each claim for waiting week credit and each claim for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid

Notice of such determination need not be given to the claimant if the claim is determined valid but if the claim is determined invalid notice shall be given by the department in writing to the claimant stating that the claim is invalid and the reason therefor

Notice of such determination need not be given to any base year employer or last employer of the claimant unless such base year employer or last employer has filed with the department information in writing which might raise a question as to the eligibility of the claimant for any reason other than his failure to comply with the provisions of section four hundred one (a) in which event notice shall be given as provided herein

If an employer files with the department such information within ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is on or before the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

If an employer files with the department such information more than ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall only issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is within the thirty-day period which immediately precedes the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

(d) The department shall notify any employer or claimant who has been notified as required under subsections (a) and (c) of this section of any revision made in the determination as contained in the original notice given to such employer or claimant

(e) Unless the claimant or last employer or base year employer of the claimant files an appeal with the board from the determination contained in any notice required to be furnished by the department under section five hundred and one (a) (c) and (d) within ten (10) calendar days after such notice was delivered to him personally or was mailed to his last known post office address and applies for a hearing such determination of the department with respect to the particular facts set forth in such notice shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal

Section 12 Section six hundred and one of said act is hereby amended to read as follows

Section 601 Unemployment Compensation Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Unemployment Compensation Fund All contributions together with penalties and interest thereon received or collected by the department from employers under the provisions of this act except such penalties and interest which are paid into the Special Administration Fund as provided in section six hundred one point one shall be paid into the Unemployment Compensation Fund and shall be credited by the department to a ledger account to be known as the Employer's Contribution Account All Moneys from time to time received and credited to the Employers' Contribution Account (exclusive of refunds made under section three hundred eleven) shall be paid promptly by the department into the Unemployment Trust Fund except as otherwise provided in section six hundred five of this act

As often as may be necessary the department shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requisitioned funds the department shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the

Compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act All moneys to the credit of the Compensation Account shall be mingled and undivided The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 13 Said act is hereby amended by adding after section six hundred and one a new section to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Special Administration Fund Under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act may be paid into the Special Administration Fund Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Administration Fund Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act But nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided upon requisition of the Secretary and certification by him that no other funds are available or can properly be used to finance such expenditures The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under section three hundred and eleven wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund

Section 14 Section six hundred and two point one of said act as added by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 845) is hereby amended to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one from the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys [appropriated for such purposes from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the legislature the amount required for such replacement] transferred from the Special Administration Fund or by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred and two of this act This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 15 Section six hundred and three of said act is hereby amended to read as follows

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund [and] the Administration Fund and the Special Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board of this Commonwealth Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in section six hundred one) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made under such systems of requisitioning and accounting as the Governor the State Treasurer and Secretary shall determine

Section 16 Said act is hereby amended by adding after section six hundred and six a new section to read as follows

Section 607 Moneys Advanced Under Title XII of the Social Security Act The Secretary is authorized and directed to apply for an advance of moneys and to accept the responsibility for the repayment of such advance in accordance with the conditions specified in Title XII of the Social Security Act as amended in order to secure to this Commonwealth the advantages available under the provisions of such title Notwithstanding the provisions of Section six hundred and two point two all moneys received under Title XII of the Social Security Act as amended shall be credited to the account of the Commonwealth in the Unemployment Trust Fund and shall be mingled and undivided with other moneys in such fund Such moneys thus advanced and placed to the credit of the Commonwealth in the Unemployment Trust Fund shall be subject to requisition for the payment of compensation as provided in Section six hundred and one with respect to all other moneys to the credit of the Commonwealth in such fund

Section 17 Except as otherwise provided herein the provisions of this act shall become effective the first day of June one thousand nine hundred and forty-five except that the provisions of section 6 and of subsections (j) (1) (z.1) and (z.2) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-five and the provisions of section five and of subsections (e) (k) (s) and (y) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-six

On the question,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 127, as follows:

An Act to further amend section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes and further regulating the burial costs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 411) and as amended in part by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 369) is hereby further amended to read as follows

Section 2 All public officers agents and servants and all officers agents and servants of any and every county city township borough district and other municipality and of any and every almshouse prison morgue hospital or other municipality or other public institution and all other persons having charge or control over dead human bodies required to be buried at the public expense are hereby required to notify immediately the said board of distribution or such person or persons as may from time to time be designated by said board or its duly authorized officer or agent whenever any such body or bodies come to his or their possession charge or control and shall without fee or reward deliver within thirty-six hours after death except those coroners' cases in which more time may be required such body or bodies and permit and suffer the said board and its agents to take and remove all such bodies to be used within the State for the advancement of medical science

Such notice shall be given to the board of distribution in all cases but no such body shall be delivered if any relative by blood or marriage shall claim the body for burial at the expense of such relative within thirty-six hours after death but the body shall be surrendered to said claimant for interment nor shall any such body be delivered if any friend or any representative of a fraternal society of which deceased was a member or a representative of any charitable organization shall claim the said body for burial within thirty-six hours after death said burial to be at the expense of such friend fraternal society or charitable organization nor shall the body be delivered if said person was an honorably discharged soldier sailor or marine of the United States or of the militia of the State of Pennsylvania in which case said body shall be buried in accordance with the provisions of existing laws

In case of the death of any person whose body is required to be buried at the public expense and the duly authorized officer or agent of the board deems such body unfit for anatomical purposes he shall notify in writing the county commissioners [of the county] in counties of the first class and the executive officers of the county institution district in all other counties where such person died and who shall direct some person to take charge of the body of such deceased indigent person and cause it to be buried and draw warrants upon the treasurer of their county for the payment of such expenses which expenses shall not be [less than thirty-five dollars nor] more than fifty dollars in counties of the first class and second class and not more than seventy-five dollars in all other counties on each body buried in accordance with the provisions of this act Such warrants shall be made payable to the persons so authorized and directed who shall have buried the bodies for which said warrants are to be drawn No warrants for the payment of the expenses of the burial of any person whose body is required to be buried at the public expense shall be drawn or paid except upon the certificate of the duly authorized officer or agent of the board to the effect that such body is unfit for anatomical purposes or that the body is that of a soldier sailor or marine of the United States or of the militia of the State of Pennsylvania required to be buried at the public expense and that the provisions of this act have been complied with

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 280, as follows:

An Act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be the duty of the recorder of deeds of every county except counties of the second class to furnish the township commissioners of each township of the first class within the county a record of all transfers of property located within the township Such record shall show the name of the grantor and grantee and a description of the property as mentioned in the deed Such record shall be sent to the township commissioners on or before the second Monday of each month

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 293, on third reading, entitled:

An Act providing for the appointment and expenses of a commission of nine persons to study, revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 300, as follows:

An Act to amend section eight hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" by allowing members of county board of school directors expenses for attendance at meetings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commomwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) is hereby amended to read as follows

Section 813 Each member of the county board of school directors shall receive [a salary which shall equal] five dollars for each meeting attended to cover such member's expenses but shall not exceed sixty dollars ($60.00) per annum which shall be paid monthly by the State from appropriations made for this purpose or from the appropriations for the public schools The county board of school directors shall be provided at the expense of the county with such telephone typewriter and stenographic services as may be needed which services may if adequate be the same as those furnished to the county superintendent

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 411, on third reading, entitled:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 417, as follows:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the immprovement of said park

Whereas Admiral Robert Edwin Peary the great Arctic explorer and discover of the North Pole was born at Cresson in Cambria County Pennsylvania and it is proper that the achievements of his illustrious career be fittingly commemorated by his native State therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical Commission is hereby authorized to acquire by gift from the Historical Society of Cambria County a tract of land in Cresson Township Cambria County Pennsylvania at the intersection of the William Penn Highway with State highway traffic route number 45 containing an area of about four and twelve one-hundredths (4.12) acres the same being the birthplace of Admiral Peary and to improve grade plant develop and maintain said tract of land as a permanent memorial park for the benefit of the people of this Commonwealth to be known as the Admiral Peary Memorial Park

Section 2 The property so acquired shall never be used for any purpose other than for a park surrounding a proposed monument to be erected as a memorial to Admiral Peary The proposed monument shall be in such form as shall be approved by the State Art Commission and no other building except a tool house for the keeping of tools and implements used on the premises shall be erected on said property The property shall be maintained as a wooded area planted with trees as an ornamental background to the Admiral Peary monument No driveways shall be laid over the premises

Section 3 The Pennsylvania Historial Commission shall have full control management and supervision of the property and shall have power to adopt and carry into effect plans for the restoration improvement and maintenance of the park and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public

Section 4 The sum of one hundred dollars ($100) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical Commission for the maintenance of said property

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 496, as follows:

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Council for the Blind for the two fiscal years beginning June first one thousand nine hundred forty-five to be used for the improvement of the condition of the blind by supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain the required medical service for such training and placement and to meet expenses necessary and proper in the administration of this program

Section 2 The State Council for the Blind is hereby authorized to adopt suitable rules and regulations to facilitate the operation of this act and in furtherance of its objectives to accept any grants or contributions from the Federal Government or any agency thereof

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been reead at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,

DiSilvestro, Klein, Stiefel, Carr,
Ealy, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 580, as follows:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further extendng the powers and duties of county commissioners or boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any formmer year or years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the twelfth day of June one thousand nne hundred thirty-one (P. L. 544) is hereby further amended to read as follows

Section 5 Upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eighth sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct according to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that returned by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred Provided further That in cases where by the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make return a return has been made by the assessor which is incomplete and a penalty has been added by the county commissioners or board of revision of taxes or a return so made and no penalty added or whereby such refusal or failure no return has been made either by him or it or by the assessor such action shall not estop the county commissioners or board of revision of taxes from the assessment and collection from him or it or from the estate of any deceased person so failing or refusing of any tax or additional tax due whenever the facts may become known and it shall be the duty of the county commissioners or board of revision of taxes to assess or reassess any such personal property for any former year or years not exceeding five years and collect the tax or the balance of the tax which should have been paid together with interest thereon at the rate of six per centum per annum In ascertaining the balance found to be due no credit shall be given for any penalty formerly assessed and paid And provided further That in every case of [a] an incorrect inaccurate false or incomplete return it shall be the duty of the county commissioners or board of revision of taxes whenever the facts may become known to reassess the personal property of any such taxable for any former year or years and to collect the balance of the tax found to be due together with interest at the rate of six per centum per annum And provided further That the executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal property of such decedent for the purpose of determining the inheritance tax shall in addition thereto file an affidavit in duplicate setting forth the items included in such inventory or affidavit which may be liable to a tax during the last completed taxing period for county purposes or in cities coextensive with counties for county and city purposes under the provisions of this act

And the officer with whom the same is filed shall forthwith send one of said copies of such affidavit to the county commissioners or the board for the assessment and revision of taxes as the case may be whose duty it shall then be to proceed as hereinbefore directed for the assessment and recovery of the taxes due from such decedent to the said counties or cities coextensive therewith with interest as above provided and for that purpose to present a claim therefor to the orphans' court of the proper county or to proceed by action or suit at law in any court of competent jurisdiction for such recovery thereof or to take any or all appropriate steps or procedure for the collection of said taxes

And provided further That it shall be the duty of the county commissioners or board of revision of taxes upon their making any assessment or reassessment where no return has been made or [a] an incorrect inaccurate false or incomplete return has been made as aforesaid to give notice thereof to the taxable or his or her executor or administrator of the assessment and when they will sit to hear an appeal therefrom

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 583, on third reading, entitled:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising the regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corportions or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such falicities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the cour of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 610, as follows:

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of forty thousand dollars ($40,000) or as much thereof as may be necessary be and the same is hereby specifically appropriated to the Department of Public Instruction of the Commonwealth of Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-five for the purpose of reimbursing school districts for the purchase of large-type books for the use of partially sighted children attending the public schools of the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Coleman,	Holland	McGinnis,	Wade,
Cox,	Homsher	Rosenfeld,	Wagner,
Crider,	James	Ruth,	Walker,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Jones	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,
Ealy,	Klein,	Stiefel,	Carr,
			Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 632, as follows:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county commissioners of any county may grant rights of way or licenses for rights of way for roads pipe lines electric lines telephone lines and telegraph lines on and across lands purchased by the county at any tax sale and owned by the county after the period of redemption provided by law has expired They shall charge for such rights of way and licenses such remuneration and damages as they deem the conditions and circumstances warrant

All net proceeds from such rights of way or licenses shall be recorded and disposition thereof made in the same manner as other income or money derived from the property concerned

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr, Presiding Officer

NAYS—1

Ealy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 641, on third reading, entitled:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitations of such power or interest by virtue of any restriction in the nature of a socalled spendthrift trust provision or similar provision and providing for the execution delivery and recording of such release or disclaimer

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 717, as follows:

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred two of Article III of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" therein designated as the "Business Corporation Law" is hereby amended and supplemented by adding a new subsection to be designated as (sixteen) to follow immediately subsection (fifteen) and to read as follows

(16) To make contributions out of its income in any taxable year to or for the use of

(a) the United States any State Territory or any political subdivision thereof or the District of Columbia or any possession of the United States for exclusively public purposes or

(b) a corporation trust or community chest fund or foundation created or organized in the United States or

in any possession thereof or under the laws of the United States or of any State or Territory or of the District of Columbia or of any possession of the United States organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children (but in the case of contributions to a trust chest fund or foundation payment of which is made within the taxable year of such business corporation beginning after the date of the cessation of hostilities in the present war as proclaimed by the President of the United States only if such contributions are to be used within the United States or any of its possessions exclusively for such purposes) no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation to the extent in the aggregate authorized approved or ratified by the bylaws of the corporation or by resolution of its shareholders All contributions made heretofore or at any time prior to the next annual meeting of the shareholders held after the passage of this act by authority of the board of directors of the corporation for the purposes prescribed by this act are hereby ratified and confirmed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 724, on third reading, entitled:

An Act to amend section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 734, as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within one year after the effectve date of this act file such tax or municipal claim or amend such claim so as to

properly describe the property against which the claim is assessed or issue or reissue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was assessed or upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not attach or reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to properly describe the property against which the claim was assessed or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 755, as follows:

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article eight of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto after section eight hundred seventeen a new section to read as follows

Section 818 When the Terms of all Councilmen Expire in Same Year In any case where inadvertently it happens that the terms of office of all the councilmen in any borough shall expire in the same year the successors of all such councilmen shall be elected in the following manner

At the municipal election immediately preceding the expiration of the terms of such offices there shall be elected in such borough a sufficient number of councilmen to equal one-half or as near thereto as possible of the entire number of which the council is legally composed to serve for a term of four years and the remaining number of which the council is legally composed shall be elected at such municipal election to serve for a term of two years from the first Monday of January next succeeding The borough council shall determine in which wards the councilmen shall be elected for the four year term and in which wards the councilmen shall be elected for the said two year term but at least one shall be elected in each ward for the four year term and at least one for the two year term Biennially thereafter at each municipal election the electors of the respective wards shall elect a sufficient number of councilmen to serve for a term of four years to fill the places of those elected in such ward whose terms shall expire on the first Monday of January next following such election

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 808, as follows:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission

Whereas pursuant to the provisions of the act of Assembly approved the fifth day of August one thousand nine hundred forty-one (P. L. 830) the Commonwealth of Pennsylvania acquired by gift from the owner thereof the building known as the Pottsgrove Mansion in the Borough of Pottstown Montgomery County Pennsylvania and a certain tract of land upon which said Pottsgrove Mansion is erected which said tract of land is more particularly described in said act of Assembly and

Whereas it is deemed expedient that an additional tract of land adjacent thereto be acquired therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six thousand dollars ($6,000.00) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Property and Supplies for the purpose of purchasing from the owners thereof all that certain tract piece or parcel of land and the buildings thereon erected situate in the Borough of Pottstown County of Montgomery and State of Pennsylvania described according to a survey thereof made by Ralph E Shaner & Son Engineers December 28 1944 described as follows

Beginning at a point at the northeast corner of High Street and a public road leading to Glasgow thence along the north line of said High Street South 60 Degrees and 25 Minutes East 114.14 feet to the Westerly line of the right of way of the Colebrookdale Railroad (80 feet wide) thence along said right of way by a line curving to the right having a radius of 1812.27 feet a distance of 360.64 feet to the south line of King Street thence along said King Street North 60 Degrees and 25 Minutes West 22 feet to the Easterly line of said public road thence along the easterly line of said road South 11 Degrees and 35 Minutes West 320.19 feet to the place of Beginning Containing 439/1000 of an acre

Section 2 The title to said real estate shall be taken in the name of the Commonwealth of Pennsylvania and shall before its acquisition be approved by the Department of Justice

Section 3 Upon the acquisition of the property aforesaid the Pennsylvania Historical Commission shall be given full control management and supervision thereof and shall have power to adopt and carry into effect plans for the improvement and maintenance thereof and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public and shall be assisted by an Advisory Board composed of the President and Vice-President of the Pottstown Historical Society the Burgess of the Borough of Pottstown and the President of the Pottstown Chamber of Commerce

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margle,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majoritty of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 845, on third reading, entitled:

An Act to amend section thirteen of the act approved the twenty-third day of May, one thousand nine hundred seven, (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," by further regulating the eligibility lists in cities of the second class "A"

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AMENDED PASSED FINALLY

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled) "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

Mr. WADE. Unfortunately, Mr. President, this bill has had a rather rough ride on account of printer's errors. The printer's number is 778 instead of 725.

The PRESIDING OFFICER. The correction is noted.

And the amendments made thereto having been printed as required by the Constitution,

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer strike-out amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, page 9, line 17, by striking out after the word "Governor" the words "and the Pennsylvania Real Estate Association may", all of lines 18, 19, 20, 21, 22, 23, 24, and 25.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 854, as follows:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-three (P. L. 443) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Officers The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board

In the Department of Justice
State Council of Education
Board of Pardons
Board of Commissioners on Uniform State Laws

In the Treasury Department
Board of Finance and Revenue

In the Department of Internal Affairs
Board of Property .

In the Department of Public Instruction
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensourg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examing Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspector's Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions

In the Department of Military Affairs
Armory Board of the State of Pennsylvania

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
[Lake Erie and Ohio River Canal Board]
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health
Sanitary Water Board
State Board of Undertakers
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
(descriptive name of political subdivision in which institution is located)
State Hospital
In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings State Art Commission
In the Department of Revenue
State Athletic Commission
In the Department of Public Assistance
State Board of Public Assistance
In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Said act is hereby amended by adding thereto after section four hundred and fifty-two a new section to read as follows

Section 453 State Real Estate Commission The State Real Estate Commission is hereby created and shall consist of the Superintendent of Public Instruction ex officio and five other persons each of whom shall at the time of his appointment be a licensed and qualified real estate broker under the existing law of this Commonwealth and shall have been engaged in the real estate business in this Commonwealth for a period of not less than ten years immediately prior to his appointment Each of said five members of the board shall be appointed by the Governor.

The term of office of each of said five members shall be five years from his appointment or until his successor has been appointed and qualified except that of the original members one shall be appointed for a term of one year one for a term of two years one for a term of three years one for a term of four years one for a term of five years from the date of his appointment or until his successor is appointed and qualified In the event that any of said members shall die or resign during his term of office his successor shall be appointed in the same way and with the same qualifications as above set forth and shall hold office for the unexpired term

Three members of the commission shall constitute a quorum The board shall elect a chairman from among its members and a secretary who need not be a member of the commission The secretary shall serve at the pleasure of the commission and shall receive such reasonable compensation as it with the approval of the Superintendent of Public Instruction shall fix The secretary shall have such powers and perform such duties not contrary to law as the commission may prescribe

Each member of the Commission other than the Superintendent of Public Instruction shall receive actual traveling expenses and per diem compensation at the rate of fifteen dollars ($15) per day for the time actually devoted to the business of the commission

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz,	Letzler,	Taylor,
Berger,	Gourley,	Mallery,	Thomas,
Blass,	Haluska,	Margie,	Troutman,
Bowers,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 856, as follows:

An Act to amend section one of the act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" by changing the fees to be allowed the said district attorney

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" is hereby amended to read as follows

Section 1 Be it enacted &c That in all counties of the second class the fees to be allowed the district attorney shall be as follows

For drawing bill of indictment and prosecuting the same for every homicide one hundred fifty dollars and [twenty] twenty-five dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus [twenty] twenty-five dollars

For drawing bill of indictment and prosecuting same for every offense triable only in the court of oyer and terminer and general jail delivery except homicide [eighteen] twenty-five dollars and ten dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus [ten] fifteen dollars

For drawing bill of indictment and prosecuting the same for every offense triable in the court of quarter sessions of the peace [fifteen] twenty-five dollars and [five] ten dollars additional for every day of trial exceeding one day

For every such bill returned ignoramous [five] fifteen dollars

For every such case settled with leave of court [ten] fifteen dollars

For every case where a nolle prosequi is entered [ten] fifteen dollars

For every surety of the peace case [ten] fifteen dollars

For obtaining judgment on forfeited recognizance [fifteen] twenty-five dollars

For every homicide case where insanity is pleaded at arraignment and a special jury called to try said issue one hundred dollars

Section 2 This act shall take effect immediately upon enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Farrell,	Mallery,	Taylor,
Berger,	Geltz,	Margie,	Thomas,
Blass,	Gourley,	McCreesh,	Troutman,
Bowers,	Haluska,	McGinnis,	Tyler,
Coleman,	Holland,	Rosenfeld,	Wade,
Cox,	Jaspan,	Ruth,	Wagner,
Crowe,	Jones,	Scarlett,	Walker,
Dent,	Klein,	Stiefel,	Wilson,
DiSilvestro,	Leader,	Tallman,	Woodring,

NAYS—10

Becker,	Ealy,	James,	Carr,
Chapman,	Heyburn,	Kephart,	Presiding Officer
Crider,	Homsher,	Stevenson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 870, as follows:

An Act to further amend section fifteen and to add section fifteen and one-tenth to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals under supervision of the courts of common pleas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the eleventh day of May one thousand nine hundred twenty-one (P L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to livestock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as amended by the act approved the ninth day of April

one thousand nine hundred twenty-nine (P. L. 456) is hereby further amended to read as follows

Section 15 The county treasurer shall keep an accurate record of all license fees and fines collected by him or paid over to him by any justice of the peace alderman magistrate or notary public and of all money received from the sale of dogs Such record shall be a public record and open to persons interested during business hours [All] Ninety-five per centum of such moneys received by the county treasurer shall be remitted to the State Treasurer through the Department of Revenue on the first Monday of each calendar month together with a report in duplicate of each payer on forms furnished by the Department of Revenue One copy of each such report shall be transmitted by the Department of Revenue to the Department of Agriculture

Section 2 Said act is hereby amended by adding thereto immediately after section fifteen a new section to read as follows

Section 15.1 The five per centum of the moneys received by the county treasurer which has been retained shall be placed by him in a separate fund The court of common pleas of the county may direct the county treasurer to make payments from said fund to any incorporated society for the prevention of cruelty to animals actively engaged in carrying out its purposes in whole or in part within said county upon the petition of any such society setting forth that all moneys received by it from said fund shall be used for said purposes

No society shall present a petition to receive money from said fund more often than once a year

No money from said fund shall be paid to any society before it has filed its bond with approved surety for such sum as the court may fix conditioned upon the faithful application of said payments to the aforesaid purposes

Any society receiving money from such fund during any year shall on or before March first of the succeeding year file an itemized account in the office of the prothonotary of said county to the same proceeding as its original petition for such money setting forth in detail its entire receipts and expenditures in said county during such preceding year Any interested person may file exceptions to such account objecting to any of said expenditures which shall be heard by the court If the court shall find any of said exceptions to be sound it may thereafter refuse to direct that payments be made to said society from the aforesaid fund

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 878, as follows:

An Act to further amend sections three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" by further providing for the distribution of the proceeds of such reconveyance or sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 282) is hereby further amended to read as follows

Section 3 Upon presentation of any such petition by any taxing authority having an interest therein or by the other party concerned the court shall fix a day not more than thirty days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and also all moneys expended by the county in the demolition and removal of any building or structure on such property or the repair thereof in order to make the same safe pursuant to an order by the authorities of the political subdivision in which the property is located after such building or structure had been condemned as unsafe and all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard and the amount which it is proposed to accept in compromise or redemption or for the sale of said property

Section 2 Section four of said act as last amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 600) is hereby further amended to read as follows

Section 4 If after such hearing the court is satisfied that the proposed compromise or private sale is proper and to the advantage of all the taxing authorities interested it shall enter a decree approving such compromise settlement private sale or such other settlement as the court may find to be proper and directing a conveyance of such property to the person or persons with whom the agreement has been made upon the payment of the agreement amount or such amount as the court may approve and all costs of the proceeding The proceeds of such compromise or private sale shall be distributed first to the costs of sale whereat the property was acquired second all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is

located third all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard and fourth the balance to the respective taxing authorities in proportion to their tax and municipal claims The title conveyed shall be free and clear of all tax and municipal liens but shall not discharge any other liens not discharged by the tax sale or sale on municipal claim

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follow, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 892, on third reading, entitled:

An Act to further amend section four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further defining the membership of credit unions

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, on behalf of Senator Homsher, I move that House Bill 894, on third reading, entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tutition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education

be recommitted to the Committee on Education.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, it seems as though I am a little too late, but if I am not, in the absence of the gentleman from Westmoreland, Senator Dent, who is very much interested in this bill, I would like to ask that it go over in its order temporarily.

BILLS OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 908, on final passage, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 936, on third reading, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 977, on third reading, entitled:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton

county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

Whereas the laws of this Commonwealth authorize cities of the third class to create and maintain pension systems for the benefit of firemen police and other employes and

Whereas no authority is now vested in such cities to provide an adequate and complete retirement or compensation system for officers and employes who by reason of age or infirmities and involuntary retirement are unprotected therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Person" an officer or employe of the city

"Employe" a person in the service of the city who is either or who is not now adequately protected under all circumstances by pensions authorized by the laws of this Commonwealth and in force at the time of the passage of this act

"Officers" a person elected or appointed to city service

"Board" Officers and Employes Retirement Board

"City" or "Cities" all third class cities adopting this act

"Fund" Officers and Employes Retirement Fund

"Compensation" retirement allowance or compensation

"He" the masculine and feminine pronouns

Section 2 That all cities of the third class may create a retirement system for officers and employes of said cities whether or not such officers and employes are protected by pension authorized by the laws of this Commonwealth and in force at the time of the passage of this act in the manner under the conditions and subject to the qualifications following

Section 3 In any such city which creates such retirement system there shall be created a board to be known as the "Officers and Employes Retirement Board" consisting of the mayor the city controller the director of finance and two employes to be chosen by the employes contributing to the retirement fund It shall be the duty of said board to register all persons employed by the said city and to administer the collections and distribution of the fund herein provided for and make such reasonable rules in the premises as such board may deem necessary to carry into effect the provisions of this act

Section 4 (a) That every person now or hereafter elected or appointed to an office of or employed by any city which has created such retirement system and such board as hereinafter provided of the age of sixty (60) years and upwards who shall have so served as an officer or employe for a period of twenty (20) years or more shall upon application to the board be retired from service and shall during the remainder of his life receive the compensation fixed by this act subject to such qualifications as are hereinafter contained

If any person who shall have served twenty (20) years and voluntarily retires he shall by continuing his contributions until the age of fifty-five (55) be entitled to the above compensation

During the lifetime of any such person he shall be entitled to receive as compensation annually from the fund set aside for the purpose fifty (50) per centum of the amount which would constitute the average salary or wages which he earned during the last five (5) years of his service for the city Said compensation to be paid in semi-monthly payments

(b) Where an officer or employe who shall have served for twelve (12) years or more and his tenure of officer or employment shall be terminated without his voluntary action before the expiration of twenty (20) years of service he shall in such event during the remainder of his life be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service where an officer or employe who has served for twenty (20) years or more and his tenure of office or employment shall be terminated without his voluntary action then he shall be entitled to full compensation for the remainer of his life

Should an officer or employe however become so permanently disabled as to render him unable to perform the duties of his position or office after fifteen (15) years of service and before attaining the age of fifty-five (55) years he shall be entitled to full compensation during such disability Proof of such disability shall consist of the sworn statement of three (3) practicing physicians designated by the board that the employe is in a condition of health which would permanently disable him from performing the duties of his position or office Such person shall thereafter be subject to physical examination at any reasonable time or times upon order of the board and upon his refusal to submit to any such examination his compensation shall cease

Section 5 The officers and employes of any city creating such fund and board shall upon the acceptance of this act pay unto said board monthly an amount equal to three (3) per centum of their monthly salaries or wages except as hereinafter provided concerning laborers which shall be applied to the purpose of this act

If any compensation be granted to a person who has not been a contributor to the fund as herein provided for an aggregate period of twenty (20) years such person shall be required to pay unto the board for the benefit of the fund monthly an amount equal to three (3) per centum of his compensation until such time as his contribution shall have been extended to a period of twenty (20) years

If for any cause any person contributing to the fund who has served less than twelve (12) years shall cease to be in the service of the city he shall become entitled to the total amount of the contributions paid into the fund by him without interest Any person who has served for a period of less than twenty (20) years and who has not reached the age of fifty-five (55) years and who voluntarily retires from such service shall be entitled only to the return of his total contributions to the fund without interest

If for any cause any person contributing to the fund shall cease to be in the service of any city before he shall have become entitled to any compensation the total amount of the contributions paid into the fund by him shall be refunded in full without interest Provided however if any such person shall have returned to him the amount contributed as aforesaid and shall afterwards reenter the service of the city he shall not be entitled to the compensation designated unless he shall return to the fund the amount withdrawn in which event the required period of service under this act shall be computed from the time he first entered the service of the city otherwise the date of his period of service shall commence upon re-entry In the event of the death of any person after he becomes entitled to any compensation and has not elected to retire the total amount of contributions paid into the fund by him shall be paid over to his estate without interest

Section 6 No person holding a position in any city as a laborer at a per diem wage shall be compelled

to pay or contribute toward the fund herein provided for but he shall have the option or choice of so doing and shall only upon electing to contribute to the fund become entitled to the compensation provided by this act Provided however that he shall be required to contribute three (3) per centum of his wages and the same percentage upon any amount of compensation he receives after his retirement

Section 7 All officers and employes except elected officers eligible for full pension hereunder shall retire at the age of seventy (70) years

Section 8 The head of every department and office employing persons entitled under the provisions of this act to receive compensation shall certify to the board all persons so employed and the amount of salary or wages which is paid to said employe together with dismissals resignations or terminations of service and from the records of their office or department shall furnish such other relative information as the board shall require

Section 9 It shall be the duty of the board to receive and retain and when deemed advisable to invest the funds payable in accordance with the provisions of this act and to pay over by warrant or check the amount due to said officers and employes

Section 10 The councils of the cities shall annually set aside apportion and appropriate out of all taxes and income of such city unto the board a sum sufficient to maintain the compensation due under this act not however to exceed in any one year an amount in excess of the proceeds of three tenths of one mill on the assessed valuation of the City for City purposes

Section 11 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the city creating a fund and board in accordance with its provisions except as hereinafter provided

Section 12 The time of service herein specified shall be computed from the time of the first or original service to the city and need not be continuous

Section 13 The compensation herein mentioned shall not be subject to attachment or execution and shall be payable only to the beneficiary designated by this act and shall not be subject to assignment or transfer

Section 14 Where a city elects to create a retirement system established by this act and is then maintained a retirement or pension system or systems covering its municipal officers and employes those officers and employes so covered shall not become members of the retirement system established by this act unless at the time the municipality elects to create the system the members of such existing pension system or systems shall by the affirmative vote of seventy-five per centum (75%) of all the members thereof elect to be covered by the retirement system established by this act and the acceptance by any city of this act by ordinance shall constitute a repeal of any existing system or systems covering officers and employes contemplated under this act In any such case provision shall be made for the transfer of the moneys and securities in its pension fund or funds to the fund established by this act

Section 15 It is the intent of this act to permit cities of the third class to adopt a new Municipal Officers and Employes Retirement System and does not affect the provisions of the act of June twenty-third one thousand nine hundred thirty-one (P. L. 932) Article forty-three sections four thousand three hundred forty to four thousand three hundred fifty-three inclusive or existing firemen and policemen pension systems

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr, Presiding Officer
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1120, as follows:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On and after the effective date of this act the Secretary of Mines with the consent of the Governor shall appoint three first-aid and three mine rescue instructors to carry on the work of instructing mine employes how to care for persons injured in and about the coal mines of this Commonwealth and to train such other employes of the various coal companies who may voluntarily seek training in the use of self-contained breathing apparatus gas masks first-aid to the injured and such other things or practices essential to the safe and efficient conduct of the work of first-aid and mine rescue

Section 2 The Secretary of Mines with the consent of the Governor shall purchase through the Department of Property and Supplies three trucks equipped with the necessary breathing apparatus gas masks first-aid supplies analytical apparatus and such other chemical and scientific instruments commonly used and necessary in the work of first-aid and mine rescue One truck shall be used in the anthracite region and two in the bituminous region

Section 3 The persons appointed to the position of first-aid and mine-rescue instructor shall not be under twenty-five (25) or over fifty (50) years of age on the date of their appointment They shall be citizens of this Commonwealth and shall devote their whole time and attention to the duties of their office They shall have a mine foreman's certificate issued by the Department of Mines of this Commonwealth and shall be in possession of a first-aid certificate issued by the Red Cross or the Federal Bureau of Mines or any other recognized authority on the subject of first-aid They shall also undergo an examination arranged and conducted by the Secretary of Mines The examination so conducted by the Secretary of Mines shall pertain to the applicant's knowledge and experience in the use of such instruments and equipment as are commonly used in mine rescue work

Section 4 The first-aid and rescue instructor shall receive a salary of three thousand six hundred dollars ($3,600) per annum together with the necessary expenses incidental to the performance of his duties under the law Except however one member of the crew manning each truck shall be termed chief of crew and shall receive a salary of four thousand dollars ($4,000) per annum together with the necessary expenses incidental to the performance of his duties under the law and shall be responsible for the orderly conduct of the work to be performed

Section 5 The persons so trained in the work of first-aid and mine rescue as described in section one of this act shall upon the completion of a course of training and instruction as may be prescribed by the Secretary of Mines be granted a certificate of competency Such certificate shall be issued by the Secretary of Mines upon written notice from the chief of crew that the applicant has completed in a satisfactory manner the course of training and instruction prescribed by the said Secretary of Mines

Section 6 For the purpose of carrying out the provisions of this act [fifty thousand dollars ($50,000.00)] "seventy five thousand dollars ($75,000.00)" or so much thereof as may be necessary is hereby appropriated for the use of the Department of Mines

Section 7 This act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1139, as follows:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office and providing an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission consisting of three members to act jointly with commissions appointed for like purposes by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia and an additional three members to be appointed by the President of the United States and which together with the other commissions appointed as hereinbefore mentioned shall constitute and be known as the Interstate Commission on the Potomac River Basin The said commission for the Commonwealth of Pennsylvania shall consist of three members to be named by the Governor one of whom shall be from the membership of the Pennsylvania Commission on Interstate Cooperation and one of whom shall be a representative of the Sanitary Water Board and one of whom shall be a member of the General Assembly of the Commonwealth of Pennsylvania The members shall be appointed immediately after this act becomes effective and shall serve for terms of two years or until their successors are appointed They shall serve without compensation but shall be paid their actual expenses incurred in and incident to the performance of their duties as hereinafter set forth The Commonwealth shall contribute to the Interstate Commission on the Potomac River Basin its pro rata share of the expenses of said commission which shall be such sums as may be appropriated for the purpose but not less than the sum of one thousand two hundred dollars ($1,200) per year for the biennium beginning June first one thousand nine hundred and forty-five

The Governor of the Commonwealth is hereby authorized and directed to execute a compact on behalf of the Commonwealth of Pennsylvania with the other states and the District hereinabove referred to who may by their legislative bodies so authorize a compact in form substantially as follows

"A Compact

Whereas It is recognized that abatement of existing pollution and the control of future pollution of interstate streams can best be promoted through a joint agency representing the several states located wholly or in part within the area drained by any such interstate stream and

Whereas The Congress of the United States has given its consent to the States of Maryland and West Virginia the Commonwealths of Pennsylvania and Virginia and the District of Columbia to enter into a compact providing for the creation of a conservancy district to consist of the drainage basin of the Potomac River and the main and tributary streams therein for 'the purpose of regulating controlling preventing or otherwise rendering unobjectionable and harmless the pollution of the waters of said Potomac drainage area by sewage and industrial and other wastes'

Now Therefore The States of Maryland and West Virginia the Commonwealths of Pennsylvania and Virginia and the District of Columbia hereinafter designated signatory bodies do hereby create the Potomac Valley Conservancy District hereinafter designated the Conservancy District comprising all of the area drained by the Potomac River and its tributaries and also do hereby create the Interstate Commission on the Potomac River Basin hereinafter designated the Commission under the articles of organization as set forth below

Article I

The Interstate Commission on the Potomac River Basin shall consist of three members from each signatory body and three members appointed by the President of the United States Said Commissioners other than those ap-

pointed by the President shall be chosen in a manner and for the terms provided by law of the signatory body from which they are appointed and shall serve without compensation from the commission but shall be paid by the commission their actual expenses incurred and incident to the performance of their duties

(A) The commission shall meet and organize within thirty days after the effective date of this compact shall elect from its number a chairman and vice-chairman shall adopt suitable by-laws shall make adopt and promulgate such rules and regulations as are necessary for its management and control and shall adopt a seal

(B) The commission shall appoint and at its pleasure remove or discharge such officers and legal engineering clerical expert and other assistants as may be required to carry the provisions of this compact into effect and shall determine their qualifications and fix their duties and compensation Such personnel as may be employed shall be employed without regard to any civil service or other similar requirements for employes of any of the signatory bodies The commission may maintain one or more offices for the transaction of its business and may meet at any time or place within the area of the Conservatory District

(C) The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report thereof and shall in such report set forth in detail the operations and transactions conducted by it pursuant to this compact The commission however shall not incur any obligations for administrative or other expenses prior to the making of appropriations adequate to meet the same nor shall it in any way pledge the credit of any of the signatory bodies Each of the signatory bodies reserves the right to make at any time an examination and audit of the accounts of the commission

(D) A quorum of the commission shall for the transaction of business the exercise of any powers or the performance of any duties consist of at least a majority of the members of the commission Provided however That no action of the commission relating to policy shall be binding on any one of the signatory bodies unless at least two of the commissioners from such signatory body shall vote in favor thereof

Article II

The Commission shall have the power and its duties shall be

(A) To coordinate tabulate and summarize technical and other data now available or as shall become available in the future from any source on the pollution of the streams of the Conservancy District and on the character and conditions of such stream and to prepare reports thereon annually and at such other times as may be deemed advisable by the commission

(B) To supplement existing information and data and to secure new data by such investigations analyses or other means as may be necessary to secure adequate information on the character and condition of the streams of the Conservancy District as they now exist or may be effected by the future discharge of sewage and industrial and other wastes into the said stream

(C) To cooperate with the legislative and administrative agencies of the signatory bodies or the equivalent thereof and with other interested commissions and similar organizations for the purpose of promoting uniform laws rules or regulations for the abatement and control of pollution of streams in the said Conservancy District

(D) To disseminate to the public information on the aims and purposes of the commission and on the harmful and uneconomical results of stream pollution through the issuance of bulletins circulars correspondence literature and reports

(E) To cooperate with other organizations engaged in fact-finding and research activities on the treatment of sewage and industrial waste or other wastes and if deemed advisable to institute and conduct such research and fact-finding activities

(F) To make and if needful from time to time revise and to recommend to the signatory bodies reasonable minimum standards for the treatment of sewage and industrial or other wastes now discharged or to be discharged in the future to the streams of the Conservancy District and also for cleanliness of the various streams in the Conservancy District

Article III

The moneys necessary to finance the commission in the administration of its business in the Conservancy District shall be provided through appropriations from the signatory bodies and the United States in the manner prescribed by the laws of the several signatory bodies and of the United States and in amounts as follows

The pro rata contribution shall be based on such factors as population the amount of industrial and domestic pollution and a flat service charge as shall be determined from time to time by the commission subject however to the approval ratification and appropriation of such contribution by the several signatory bodies And further provided that the total of such sums from all signatory bodies shall not exceed a total of thirty thousand dollars ($30,000) per annum

Article IV

Pursuant to the aims and purposes of this compact the signatory bodies mutually agree

1 Faithful cooperation in the abatement of existing pollution and the prevention of future pollution in the streams of the Conservancy District

2 The enactment of adequate and in so far as is practicable uniform legislation for the abatement and control of such pollution

3 The appropriation of biennial sums of the proportionate basis as set forth in Article III

Article V

This compact shall become effective immediately after it shall have been ratified by the majority of the legislatures of the States of Maryland and West Virginia the Commonwealths of Pennsylvania and Virginia and by the commissioners of the District of Columbia and approved by the Congress of the United States Provided however That this compact shall not be effective as to any signatory body until ratified thereby

Article VI

Any signatory body may by Legislative action after one year's notice to the commission withdraw from this compact"

Section 2 If any section sentence subdivision or clause of this act is for any reason held invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this act

Section 3 The sum of two thousand four hundred dollars ($2,400) is hereby specifically appropriated to the Interstate Commission on the Potomac River Basin as the contribution of the Commonwealth as its pro rata share of the expenses of said commission the chairman of said commission shall file an accounting of said expenses with the Auditor General to be paid on warrant of the Auditor General on requisition of the chairman of the commission

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1141, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Commission instead of the Department of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" various sections of which have been amended by the act approved the first day of April one thousand nine hundred thirty-one (P. L. 15) the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1410) the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 170) and the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2811) is hereby further amended to read as follows

Section 1 Be it enacted &c That this act shall be known and may be cited as the Real Estate Brokers License Act of one thousand nine hundred and twenty-nine

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima facie evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include all persons copartnerships associations and corporations foreign and domestic the principal business of whom or which is the purchasing selling renting trading or exchanging of real estate whether for another or as purchaser seller or owner of such real estate and all real estate auctioneers and real estate appraisers and all persons who negotiate or offer for sale any mortgage or other security for which real estate is the collateral as well as all managers of office buildings apartment buildings and other buildings and persons employed by banking institutions and trust companies for the foregoing purposes

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to perform any or all of the functions of a real estate broker Provided however That stenographic or other clerical help employed solely in such capacity in the office of the broker shall not be required to be licensed as real estate salesmen

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where only one transaction is involved and where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania

(d) The term "department" shall mean the Department of Public Instruction of this Commonwealth

(e) The term "commission" shall mean the State Real Estate Commission a departmental administrative board of the Department of Public Instruction

Section 3 The department shall issue real estate this act [and] The commissions shall supervise and control all such licenses as hereinafter specifically provided brokers' and salesmen's licenses under the provisions of

Section 4 (a) Copies of all records and papers or documents filed in the office of the department and of all proceedings by or before the [department] commission with the [department's] commission's action thereon and stenographic notes of testimony or other evidence submitted when certified under the seal of the department shall be admitted to be read in evidence in all courts in this Commonwealth in all cases where the originals would be admissible in evidence under the

provisions of this act Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the original

(b) For every copy of paper filed with the department in any proceedings before [it] the commission the department may charge such fees as it may by general rule or regulation prescribe not exceeding twenty-five cents (25c) per folio

Section 5 Neither the Superintendent of Public Instruction any member of the commission nor any deputy secretary representative clerk or other employe of the department shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or any other matter fact or thing contained among the papers documents or records of said department or ascertain from any of the same or from any investigation or proceedings made or held under the provisions of this act by or before the [department] commission or any of its deputies members secretary or representatives excepting in such manner as is expressly authorized by this act and excepting when the production of such information in a proceeding in any court is duly required by subpoena issued by special order of the court or other regular process any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000)

Provided however That the provisions of this section shall not apply to any ruling or decision of the [department] commission with the record relative thereto and upon which the same was founded which ruling or decision shall have been duly made and entered under and in accordance with the provisions of this act after investigation and/or hearing as hereinafter provided All such records shall immediately upon the entry of such ruling or decision become public records of the department subject to inspection by any person interested

Section 6 From and after January first one thousand nine hundred thirty it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards are citizens of the United States and shall have served an apprenticeship as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers

Section 7 (a) It shall be the duty of the department upon payment of license fees required by this act to issue licenses as real estate broker or real estate salesman to all individuals and as real estate broker alone to all copartnerships associations and corporations who shall be duly qualified under and shall comply with the provisions of this act

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the department shall require The application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honestry truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents ($2.50) for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire [December thirty-first of the year] [issued] on the last day of February immediately following the date of issue unless sooner revoked or suspended by the [department] commission or renewed annually as hereinafter described

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the department shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire [December thirty-first of the year] [issued] on the last day of February immediately following the date of issue unless sooner revoked or suspended by the [department] commission or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the [department] commission and prepared by the [department Provided however That any person who has been licensed as a real estate salesman or real estate broker for a period of six (6) months next preceding the effective date of this act and is thus engaged in this Commonwealth at the time this act goes into effect may secure the certificate of registration as a broker or a salesman without an examination provided such person shall make application to the department for registration within ninety (90) days after the effective date of this act] commission The [department] commission shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh

Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the [department] commission shall prescribe Provided That the commission may make a special dispensation or exception because of religious scruples of applicants as to the day of the week upon which the examination shall be held The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to the common school branches Provided however That in event the license of any real estate broker or salesman shall be cancelled by the [department] commission subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the [department] commission may waive these requirements in the case of an application from a nonresident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

An individual may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination but not more than two successive temporary permits shall be issued to any individual Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of [two full years] six months from the time such individual took the last examination

(d) Authority to transact business as a real estate broker of real estate salesman under any license issued by the department shall be restricted to the person named in such license and shall not inure to the benefit of any other person or persons whatsoever Where a real estate broker's license shall be issued to a corporation or association authority to transact business thereunder shall be limited to one officer of such corporation or association to be designated in the application and named in the license Each other officer of such association or corporation desiring to act as a real estate broker in connection with the business of the said association or corporation or otherwise shall be required to make application for and take out a separate license in his or her own name individually Where the licensee is a copartnership the license issued to such copartnership shall confer authority to act as real estate broker upon one member of such copartnership only who shall be designated in the application and named in the license all the other members of such copartnership desiring to act as real estate brokers in connection with the business of the partnership or otherwise shall be required to apply for and take out individual licenses In their own names

(e) A non-resident of this State may be licensed as a real estate broker or a real estate salesman upon complying with all the provisions and conditions of this act relative to resident brokers and salesmen

(f) In connection with the application of a nonresident of this State for a license as real estate broker or real estate salesman the [department] commission may accept in lieu of the recommendations and statements otherwise required to accompany the application for such license the license as real estate broker or real estate salesman issued to such applicant by the proper authority of the State of his domicile upon the payment by the applicant of the proper license fee and the filing with the department of a duly certified copy of the license issued to such applicant by such other State In such case the licensee shall not be required to maintain a definite place of business within this State Provided That he if a broker shall maintain an active place of business within the State of his domicile Provided however and it is hereby expressly stipulated That the provisions of this [subparagraph "(g)"] paragraph (f) of section seven of this act shall only apply to licensed real estate brokers and real estate salesmen of those States under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State Provided further That every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of this State in which a cause of action may arise in which the plaintiff may reside by the service of any process or pleading authorized by the laws of this State on the [department] chairman of the commission said consent stipulating and agreeing that such service of such process or pleadings on the [department] chairman of the commission shall be taken and held in all courts to be as valid and binding as if due service had been made upon said applicant personally within the State Said instrument containing such consent shall be authenticated by the seal thereof if a corporation or by the acknowledged signature of a member or officer thereof if otherwise All such applications except from individuals shall be accompanied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute the same In case any process or pleadings mentioned in the case are served upon the [department] secretary of the commission it shall be by duplicate copy one of which shall be filed in the office of the department and the other immediately forwarded by registered mail to the main office of the applicant against which said process or pleadings are directed

Section 8 The fees to be charged by and paid to the department by licensees for all licenses and renewals thereof issued shall be as follows

(1) A fee of ten dollars ($10.00) shall accompany an application for examination for real estate broker's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided That if the applicant fails to pass the examination he may be eligible to take the next examination without any additional fee Provided That there shall be an additional license fee of two and one-half ($2.50) dollars annually for each additional office or place of business

(2) A fee of five dollars ($5.00) shall accompany an application for examination for a real estate salesman's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided however That if the applicant fails to pass the examination he may be eligible to take the next examination without any additional fee

(3) It shall be the duty of all persons licensed to practice as a real estate broker or real estate salesman to register annually with the department and pay for each annual registration as a real estate broker the sum of five dollars ($5.00) and pay for each such annual registration as a real estate salesman the sum of two dollars and one-half ($2.50) Said application for renewal of real estate broker's or salesman's license shall be made to the department annually on or before [January] March first of the next succeeding year

(4) The [department] commission shall be required to publish annually a list of the persons copartnerships and corporations registered for that particular year

Section 9 (a) Every person copartnership association or corporation licensed as a real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall be a room or rooms used exclusively for the transaction of real estate business or such business and any allied business and which shall serve as his their or its office for the transaction of business under the authority of the said license and where the certificate of registration and the current annual renewal card shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to

transact business from any office other than that designated in the license unless notice in writing shall be given within ten days to the department of any change of business location designating the new location of such office whereupon the department shall forthwith issue a new license for the new location for the unexpired period without charge The change of the specified business location without notification to the department shall automatically cancel the license theretofore issued Every real estate broker shall display on the outside of his place of business a sign containing the words real estate or realtor where such latter title is duly authorized The [department] commission [subject to the approval of the Real Estate Advisory Committee] shall adopt reasonable rules and regulations for the conduct of such places of business

(b) All real estate brokers shall also prominently display in their place or places of business the certificate of registration and the current annual renewal card of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesmen by name Prompt notice in writing within ten (10) days shall be given to the department by the real estate salesmen of any change of employer and of the name of the new employer into whose service such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the department to such salesmen for the unexpired term of the original license Provided That such new employer shall be a duly licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the department as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the department promptly of any such change of employer or employment

(c) The violation of any of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his her or its license in the discretion of the [departmental] commission

Section 10 (a) The [department] commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to other than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) When it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without an exclusive agency therefor or without the owner's consent

(b) Before refusing suspending or revoking any license the [department] commission shall in writing notify the applicant or licensee of the charges against him accompanying the notice with a copy of the complaint if any filed and the [department] commission shall accord the applicant or licensee ample opportunity to be heard thereon in person or by counsel If the applicant or licensee shall so desire the [department] commission shall grant a hearing upon such charges to be held on not less than ten (10) days prior notice in writing to the applicant or licensee given and shall furnish licensee at the time of giving the said notice with copies of any and all communications reports affidavits and dispositions in the possession of the department touching or relating to the matter in question At such hearing the applicant or licensee shall be entitled to examine either in person or by counsel any and all persons complaining against him and as well all other witnesses whose testimony is relied upon to substantiate the charges made He shall also be entitled to present such evidence oral and written as he may see fit and as may be pertinent to the inquiry The said hearings may be held by the [department] commission or any member thereof or by any of its duly authorized [deputies] representatives or by any other person duly [deputized] authorized by the [department] commission for such purpose in any particular case and they shall be held if the applicant or licensee so desires within the county where the applicant's or licensee's principal place of business is situated At such hearings all witnesses shall be duly sworn by the duly authorized [deputies] representatives general or special before whom the hearing is held and stenographic notes of the proceedings shall be taken and filed as part of the record in the cause Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon the payment to the department of such fee as it shall by general rule or regulation prescribe therefor not exceeding however twenty-five cents per folio

(c) The refusal of the [department] commission to authorize the department to issue any license after application properly made and compliance by the applicant with the requirements of this act shall be subject to review by the court of common pleas of Dauphin County upon petition for writ of mandamus or other appropriate remedy with the right of appeal to the applicant as in other and similar cases

(d) The decision of the [department] commission in suspending or revoking any license issued under this act shall be subject to review by the court of common pleas of Dauphin County The [department] commission shall maintain in its main office a public docket or other record in which it shall record from time to time as made the ruling or decisions upon all complaints filed with it and all investigations instituted by it in the first instance upon or in connection with which any such hearing shall have been had or in which the licensee charged shall have made no defense The [department] commission shall also give immediate notice in writing of such ruling or decision to the licensee affected thereby and as well where the investigation shall have been instituted by complaint filed to the party or parties by whom the complaint was made If such ruling shall be to the prejudice of or shall injuriously affect the licensee the [department] commission shall also state in said notice the date upon which the said ruling or decision shall become effective if not theretofore appealed from and such date shall be not less than thirty (30) days from and after the date of the said notice If the licensee cannot at such time be found his whereabouts being then unknown such notice may be given by the [department] commission by advertisement inserted in one issue of a newspaper of general circulation published within the county where was located the principal office of the licensee as designated in the license When any revocation or suspension shall become final the [department] commission shall publish notice thereof in one issue of one or

more newspapers of general circulation published within the county in which the licensee was practising or engaged in the real estate business at the time of such revocation or suspension

Such ruling or decision of the [department] commission shall be final when in favor of the licensee and in dismissal of the complaint filed if any If against the licensee or in any way to licensee's injury or prejudice the licensee may at any time prior to the date fixed by the [department] commission in its said notice as the date it shall become effective appeal from such decision to the court of common pleas of Dauphin County by filing written notice of such appeal together with reasons for such appeal in the office of the prothonotary of Dauphin County and by serving a copy thereof on the [department] commission either by filing the said notice of appeal in the office of the [department] commission or by delivering the same to the [deputy] representative whether general or special before whom the hearing in the case was had

Within thirty (30) days after the service of such notice of appeal the [department] commission shall file with the prothonotary of the said court of common pleas a transcript of the records of the proceedings in its office duly certified over the seal of the department which record shall include all papers on file with the [department] commission affecting or relating to the inquiry or investigation conducted by the [department] commission and all the evidence taken in the said hearing including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the [department] commission to the licensee and as well to the party or parties if any upon whose complaint the proceedings before the [department] commission were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the said court may direct In all proceedings upon such appeal the Department of Justice shall appear for and represent the Commonwealth

The appeal shall thereupon be heard in due course by the judge or judges of the said court of common pleas without a jury by whom the proceedings before the [department] commission its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An act to provide for the submission of civil cases by agreement of the parties to the referee learned in the law" approved the fourteenth day of May one thousand eight hundred seventy-four and its supplements

(e) The order or ruling of the [department] commission in any such proceeding shall become of full force and effect upon the date fixed by the [department] commission in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the [department] commission as hereinbefore provided If an appeal shall be so taken such an appeal shall act as supersedeas until ten (10) days from and after the date of the filing of the transcript by the [department] commission in the court of common pleas of Dauphin County and notice thereof by it given to the licensee but not longer unless the said court of common pleas shall upon motion of the licensee grant an order of supersedeas in which case the appeal shall be heard by the said court and its decision entered within thirty (30) days after the granting of such order of supersedeas An appeal shall lie from the decision of the said court of common pleas to the Superior Court but no such appeal shall operate as a supersedeas unless made so by special order of the appellate court

Section 11 (a) In all proceedings before the [department] commission and as well in all proceedings upon appeal from any of its decisions the record or a duly certified or exemplified copy thereof in any proceedings at law or in equity in any court of competent jurisdiction in this or any other State in which the applicant or licensee charged or under investigation shall have been a party shall be admissible where the issue of fact involved in such proceedings are pertinent to the inquiry before the [department] commission and the verdict of the jury or judgment of the court in any such action at law or the decree of the court in any such proceeding in equity shall be prima facie as to the facts at issue in such proceedings and necessarily adjudicated therein So also the verdict of the jury in any criminal prosecution in a court of record of this or any other State in which the applicant or licensee charged shall have been the defendant shall be conclusive as to the facts charged and at issue in such prosecution

(b) Where during the term of any license issued by the department the licensee shall be convicted in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the [department] commission the [department] commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted

(c) In the event that any licensee shall be indicted in this or any other State for forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a certified copy of the indictment be filed with the [department] commission or other proper evidence thereof be to it given the [department] commission shall have authority in its discretion to suspend the license issued to such licensee pending trial upon such indictment

(d) In the event of the revocation or suspension of the license issued to any member of a copartnership or to any officer of an association or corporation the license issued to such copartnership association or corporation shall be revoked by the [department] commission unless within a time fixed by the [department] commission where a copartnership the connection therewith of the member whose license has been revoked shall be served and his interest in the copartnership and his share in its activities brought to an end or where an association or corporation the offending officer shall be discharged and shall have no further participation in its activities

(e) Pending an investigation or proceeding before the [department] commission affecting any licensee and as well pending final decision upon any appeal taken by a licensee from the ruling of the [department] commission no new license shall be issued to such licensee or to a copartnership of which he is a member or employee or to an association or corporation of which he shall be an officer or employee except for the period of such investigation or proceeding and subject to the action of the [department] commission thereon or therein

(f) After the revocation of any license no new license shall be issued to the same licensee within a period of one year from and after the date of such revocation nor at any time thereafter except in the sole discretion of the [department] commission

(g) No license shall be issued by the department to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses or to any copartnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 12 (a) Any person copartnership association or corporation who shall after the first day of January nineteen hundred and thirty engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a real estate salesman to whom a license as a real estate sales-

man has not been issued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than fifty dollars ($50) nor more than one hundred dollars ($100) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) or undergo imprisonment for a period of not more than one (1) year or both in the discretion of the court

(b) Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate of registration on or before the renewal date in each year and who continues the practice of real estate broker or real estate salesman shall on conviction thereof be subject to a fine of not more than ten dollars ($10) to be collected by summary conviction as like fines are collected by law and in case of nonpayment of fine to undergo an imprisonment for a period not to exceed ten (10) days Any such person shall have the right of appeal as in other cases of summary conviction

Section 13 (a) The [department] commission and each of its duly authorized [assistants and deputies] representatives and as well any special [duputy] representative appointed by it to hold a hearing in any particular case shall have power to administer oaths and to issue subpoenas for the attendance of witnesses and the production of books and papers In any hearing in any part of the Commonwealth the process issued by the [department] commission shall extend to all parts of the Commonwealth and such process shall be served either in like manner as are served writs of subpoena in the court of common pleas or by any person designated by the [department] commission for such purpose The person serving such process shall receive such compensation as may be allowed by the [department] commission not to exceed the fee prescribed by law for similar services in the courts of common pleas and such fees shall be paid in the same manner as provided herein for the fees of witnesses subpoenaed at the instance of the [department] commission All witnesses who shall be subpoenaed and who shall appear in any proceeding before the [department] commission shall receive the same fees and mileage as allowed by law to witnesses in the court of common pleas which amount shall be paid by the party at whose instance the subpoena was issued or upon whose behalf the witness has been called When any witness who has not been subpoenaed at the instance of any party to the proceeding shall be subpoenaed at the instance of the [department] commission or its [assistant or deputies] representatives general or special the fees and mileage of such witness shall be paid from the funds appropriated to the use of the said department in the same manner as other expenses of the department are paid

(b) Where in any proceeding before the [department] commission any witness shall fail or refuse to attend upon subpoena issued by the [department] commission or any of its [assistants or deputies] representatives general or special or appearing shall refuse to testify or shall refuse to produce any books and papers the production of which is called for by the subpoena the attendance of such witness and the giving of his testimony and the production of the books and papers required shall be enforced by any court of common pleas of this Commonwealth in like manner as are enforced the attendance and testimony of witnesses before commissioners appointed by any court of the United States or of any other State to examine or take the testimony of witnesses within this Commonwealth

(c) The court of common pleas of any county shall upon the application of the [department] commission issue commissions or letters rogatory to other States for the taking of evidence there for use in any proceeding before the [department] commission The [department] commission shall make such application at the instance of any party to the proceeding before it unless in the opinion of the [department] commission such application is made for the purpose of delay Any such party shall be entitled as of right to subpoenas from the [department] commission directed to such witnesses and for the production of such books and papers as the party may desire

Section 14 No violation of any of the provisions of this act on the part of any real estate salesman or other employe of any licensed real estate broker shall be ground for the revocation of the license of the employer of such salesman or employe unless it shall appear upon the hearing had that such employer had guilty knowledge of such violation A course of dealing shown to have been persistently and consistently followed by such employe shall constitute prima facie evidence of such knowledge upon the part of his employer

Section 15 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any compensation in money or other valuable thing to any person other than a licensed real estate broker or real estate salesman for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees

(b) No real estate salesman shall accept or receive compensation of any kind from any person other than the licensed real estate broker by whom he is employed for any service rendered or work done by such salesman in buying selling exchanging leasing or negotiating a loan upon real estate or interest therein

(c) The violation of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his license in the discretion of the [department] commission

Section 16 No action or suit shall be instituted nor recovery therein be had in any court of this Commonwealth by any person copartnership association or corporation for compensation for any act done or service rendered the doing or rendering of which is prohibited under the provisions of this act to others than licensed real estate brokers unless such person copartnership association or corporation was duly licensed hereunder as real estate broker at the time of the doing of such act or the rendering of such service

Section 17 The [department] commission may act by a majority vote of the members thereof and authority is hereby given to the [department] commission to adopt fix and establish all rules and regulations in its opinion necessary for the conduct of its business the holding of hearings before it and its [deputies] representatives and otherwise generally for the carrying out of the provisions of this act

Section 18 If any section subsection sentence clause phrase or requirement of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions thereof The Legislature hereby declares that it would have passed this act each section subsection sentence clause phrase and requirement thereof irrespective of the fact that any one or more sections subsections sentences clauses phrases or requirements be declared unconstitutional

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,

Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1190, on third reading, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes and for the reduction of taxes on real estate authorizing the establishment of bureaus and the appointment and compensation of officers and employers to assess and collect such taxes and permitting penalties to be imposed and enforced

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 248, PRINTER'S No. 392

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 248, Printer's No. 392, entitled "An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties."

EDWARD MARTIN.

HOUSE BILL No. 908 CALLED UP

Mr. BARR. Mr. President, I call up for consideration at this time House Bill No. 908, now on final passage.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 908, as follows:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 939) is hereby further amended to read as follows

Section 1501 Every school district of the first second or third class in this Commonwealth shall annually provide medical inspection of all the pupils of its public schools by proper medical inspectors to be appointed by the board of school directors of the district in sufficient number to conduct the required inspection in conformity with the standard requirements by the [Commissioner] Secretary of Health for the medical inspection of schools in such district Such medical inspection shall be made in the presence of the parent or guardian of the pupil when so requested by parent or guardian All such medical inspectors shall be physicians legally qualified to practice medicine in this Commonwealth who have had at least two years' experience in the practice of their profession and shall be paid such amounts as the boards of school directors may determine Provided That nothing in this act shall preclude the appointment of health officers of municipalities as medical inspectors in the school districts of this Commonwealth

Section 2 Article fifteen of said act is hereby amended by adding thereto a new section to read as follows

Section 1501.1 Medical inspectors of the several school districts shall make sight and hearing tests of the pupils in such schools at least once in each school year Such tests for hearing shall be made with audiometers or with such other scientific devices as may meet the approval of the Department of Public Instruction which shall be provided by the said department for use in the various school districts The Department of Public Instruction shall prescribe to the boards of school directors and medical inspectors of school suitable rules of instructions as to the tests and examinations to be made as provided in this section together with test cards and blanks deemed necessary for carrying out the purposes of this section The Department of Public Instruction shall provide in the State teachers' colleges instruction and practice in the best methods of testing the sight and hearing of children and shall prescribe the scientific appliances which shall be used by State teachers' colleges to provide such instruction

The Superintendent of Public Instruction shall appoint a specialist for sight and hearing in his department who shall assist medical inspectors in the several school districts in making sight and hearing tests of pupils of the public schools He shall also assist in providing instruction and practice in the State teachers' colleges in the best methods of testing the sight and hearing of children

and shall perform such other duties as the Superintendent of Public Instruction shall prescribe The Superintendent of Public Instruction shall also appoint a competent person to supervise audiometric tests Such person shall be one certified to teach in the public schools shall be thoroughly familiar with the use and purpose of audiometers and shall have some experience in medical social service Such person shall supervise the use of audiometers and other scientific appliances used in hearing tests and perform such other duties as may be assigned by the specialist for sight and hearing

Section 3 Section one thousand five hundred three of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2560) is hereby further amended to read as follows

Section 1503 In every school district of the fourth class in this Commonwealth the State Department of Health shall provide in such manner as it may determine medical inspection for all the pupils in the public schools by proper medical inspectors to be appointed by the [State Commissioner] Secretary of Health at the expense of said department In the event that such department because of lack of funds is unable to provide adequate medical inspection at its expense the school district may at its own expense provide such medical inspection or additional medical inspection All such medical inspectors shall be legally qualified physicians who have had not less than two years' experience in the practice of their profession Such medical inspection shall be made in the presence of the parent or guardian of the pupil when so requested by parent or guardian

Section 4 Section one thousand five hundred four of said act as last amended by the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 511) is hereby further amended to read as follows

Section 1504 In every school district which is required by this act to provide medical inspection for its public schools the secretary of the school board or the district superintendent of schools shall on or before the first day of September of each year report to the [Commissioner] Secretary of Health the names of the medical inspectors or the name of the chief medical inspector with the number of assistants or additional inspectors appointed for the ensuing term and if such medical inspection as is herein required is not furnished within thirty days after the beginning of the school term the [Commissioner] Secretary of Health shall after two weeks' written notice to the board of school directors of such district appoint a properly qualified medical inspector or inspectors for the district for the remainder of the school term and shall fix the compensation for the same which shall be paid by the district

Section 5 Section one thousand five hundred five of said act as last amended by the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 939) is hereby further amended to read as follows

Section 1505 The medical inspectors shall at least once each year inspect and carefully test and examine all pupils in the public schools of their district giving special attention to defective sight hearing teeth or other disabilities and defects specified by the [Commissioner] Secretary of Health in his directions and requirements for medical inspection of schools and shall make such additional inspections and examinations as shall be provided for in said directions or required by the [Commissioner] Secretary of Health the principal or the district superintendent of schools Each medical inspector shall make to the teacher or if the board of school directors so directs to the principal or district superintendent of schools a written report concerning all pupils found to need medical or surgical attention and giving careful directions concerning the care of each pupil who needs special care while in school The teacher principal or district superintendent shall promptly send a copy of the medical inspector's report upon each child requiring treatment to the parents or guardian thereof and shall keep the report concerning the pupils found to need medical or surgical attention until the last month of the school term carrying out as carefully as possible the medical inspector's directions concerning the special care of pupils while in school noting any corrections of defects reported and in fourth class school districts shall return the report to the [Commissioner] Secretary of Health in first second and third class school districts to the district superintendent of schools or to the principal of schools if no district superintendent who shall make such reports to the [Commissioner] Secretary of Health as he may require

Section 6 Section one thousand five hundred six of said act is hereby amended to read as follows

Section 1506 The medical inspector in the first second and third class districts shall at least once each year and as early in the school term as possible make a careful examination of all privies water-closets urinals cellars the water-supply and drinking vessels and utensils and shall make such additional examinations of the sanitary conditions of the school buildings and grounds as he deems necessary or as the regulations of the State Department of Health or the rules of the board of school directors or of the local board of health require He shall see that the laws of the Commonwealth relating to the health and sanitation of the public schools and the requirements of the local board of health are complied with In school districts of the fourth class the sanitary officer appointed by the Secretary of Health shall annually make a sanitary survey of the school building and grounds and report his findings to the Secretary of Health who in turn will advise the board of school directors as to the condition of their schools and officially notify them of unsanitary conditions that need abatement The sanitary officer shall see that laws of the Commonwealth relating to the health and sanitation of the public schools and the requirements of the local boards of health are complied with

Section 7 Section one thousand five hundred seven of said act is hereby amended to read as follows

Section 1507 [He] Medical and dental inspectors shall promptly make such reports to the [Commissioner] Secretary of Health as are required by him or by the regulations of his department and such reports to the local boards of school directors as he deems necessary or as are required by the [Commissioner] Secretary of Health or by the board of school directors [He] The medical and dental inspectors shall perform such other duties as may be required by the health and sanitation laws of this Commonwealth or by the board of school directors

Section 8 Section one thousand five hundred eight of said act as last amended by the act approved the first day of May one thousand nine hundred thirty-three (P. L. 208) is hereby further amended to read as follows

Section 1508 [Any] Each board of school directors or boards of school directors jointly may employ one or more school nurses who shall be graduates of [reputable] accredited training schools for nurses certificated by the Department of Public Instruction as school nurses and who shall be registered in this Commonwealth with the State Board of Examiners for the Registration of Nurses and shall define their duties and any two or more school districts may jointly employ school nurses Any school district may in any health work in which it is authorized to engage cooperate with any county city borough town or township engaged in health work

Section 9 Article fifteen of said act is hereby amended by adding thereto a new section to read as follows

Section 1508.1 Any board of school directors or boards of school directors jointly may employ one or more dental hygienists who shall have successfully completed a curriculum in dental hygiene and have been licensed by the State Dental Council and Examining Board of the Pennsylvania Department of Public Instruction and certified as a public school dental hygienist by the Pennsylvania Department of Public Instruction and shall define their

duties and any two or more school districts may jointly employ dental hygienists

Section 10 Section one thousand five hundred nine of said act as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 561) is hereby further amended to read as follows

Section 1509 No person having [tuberculosis of the lungs] any form of tuberculosis in a transmissible stage shall be a pupil teacher janitor or any other employe in any public school unless it be a special school carried on under the regulations made for such schools by the [Commissioner] Secretary of Health The board of directors of any school district may appropriate such funds as may be necessary to pay for x-ray or other medical examinations to determine the presence or absence of tuberculosis in any [pupil] teacher janitor or other employe of the district

Section 11 Article fifteen of said act is hereby further amended by adding thereto the following new sections to read as follows

Section 1514 If at any time during the school year the superintendent of schools or supervising principal discovers the need for special examination of any school employe or pupil he shall refer such case to the responsible medical examiner for special consultation and recommendation

Section 1515 In school districts of the first second and third class having a district superintendent and schools under the supervision of the county superintendent of schools shall set up an advisory health council to study the health needs and assist in organizing a follow-up program Those making the medical and dental examinations shall make an annual report to this advisory council and later make a report on the remedial work which has been accomplished during the school year This advisory council shall be composed of representatives of the medical and dental associations social organizations veterans organizations parent-teacher associations service clubs and other organizations in the area served

Section 1516 This act shall not be construed to compel any teacher school employe or pupil to submit to any medical or dental examination or treatment under the authority of this act when such teacher employe or the parent or guardian of such pupil objects to the same on religious grounds or to permit any discrimination against such teacher employe or pupil on account of the same

Section 12 The act of Assembly approved the second day of July one thousand nine hundred thirty-seven (P. L. 2707) is hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT FROM COMMITTEE

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Appropriations, re-reported as committed, House Bill No. 143, entitled:

An Act making a deficiency appropriation to aid certain school districts.

The PRESIDING OFFICER. The bill will be laid on the table.

Mr. HOMSHER. Mr. President, with respect to House Bill No. 143, which I just re-reported from the Committee on Appropriations, I would like to say just a few words to explain this bill. This bill provides a deficiency appropriation of $300,000 for distressed school districts. The amount needed as presented by the Department to allocate to those districts which are distressed amounts to nearly this much money. The bill for the next biennium provides only $1,000,000 to pay distressed school districts and therefore it is most essential that this Legislature at this time appropriate this deficiency of $300,000.

I request that the bill be approved.

The PRESIDING OFFICER. Does the gentleman from Lancaster ask unanimous consent to have consideration of this bill on third reading at this time.

Mr. HOMSHER. That is correct, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 143 TAKEN FROM TABLE

Mr. HOMSHER. Mr. President, I ask unanimous consent to consider House Bill No. 143 at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 143, as follows:

An Act making a deficiency appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars ($300,000) is hereby appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the balance of the two fiscal years ending May thirty-first one thousand nine hundred and forty-five and for the succeeding

fiscal biennium until the thirtieth day of June one thousand nine hundred and forty-five

Section 2 The provisions of this act shall become effective immediately upon its final enactment

An said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Coleman,	Holland	McGinnis,	Wade,
Cox,	Homsher	Rosenfeld,	Wagner,
Crider,	James	Ruth,	Walker,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Jones	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,
Ealy,	Klein,	Stiefel,	Carr, Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on House Bill No. 660.

SENATE ADOPTS THE REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

Agreeably to order,

The Senate proceeded to consideration of the Report of the Committee of Conference on House Bill No. 660, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 660, entitled: "An act to add section thirty-one point one, and to repeal in part section thirty-two of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled 'An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens, and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly,' further regulating the sale of real property for the non-payment of tax and municipal claims in counties of the first class; providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale; and eliminating the right of redemption after such sales,"

Respectfully submit the following bill as our report:

A. EVANS KEPHART,
LOUIS H. FARRELL,
MAXWELL S. ROSENFELD,
(Committee on the Part of the Senate.)

MORRIS J. ROOT,
JOHN R. McCORMACK,
EARL CHUDOFF.
(Committee on the part of the House of Representatives.)

An Act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" is hereby amended by adding thereto after section thirty-one a new section to read as follows

Section 31.1 In addition to the remedy prescribed in sections twenty-eight and thirty-one of this act whenever a claimant in any county of the first class has obtained a judgment upon tax or municipal claim it may file its petition in the court in which the proceeding is pending setting forth the facts necessary to show the right to sell together with searches or a title insurance policy showing the state of the record and the ownership of the property and of all tax and municipal claims mortgages ground rents or other charges on or estates in the land as shown by the official records of the county or the political subdivision in which the real estate is situate and thereupon the court shall grant a rule upon all parties thus shown to be interested to

appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages ground rents charges and estates and without any right of redemption after such sale If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that contemporaneously with the service of the rule on the parties respondent notice of the rule has been published by the claimant in at least one newspaper of general circulation in the county and in a legal periodical published therein if any and that the facts stated in the petition be true it shall order and decree that said property be sold at a subsequent sheriff's sale at a time to be fixed thereafter by the claimant at least one year after the date of the decree clear of all claims liens mortgages ground rents charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims liens mortgages ground rents charges and estates and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages ground rents charges and estates of whatsoever kind and not thereafter subject to any right of redemption Advertisement of such sale shall be made and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff Provided however That any person interested may at any time prior to the proposed sale pay all the costs of the proceedings including a reasonable fee for the necessary title search or title insurance policy to be fixed by the court and all tax and municipal claims penalties and interest thereon charged against the property whereupon the proceedings on petition shall at once determine notice of this proviso shall be included with each service and in each publication of the aforesaid rule

For the purpose of enabling the petitioner in any such proceedings to give the notice required it may take the testimony of the defendant in the claim or of any other person whom it may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory

Any claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and if such purchaser shall be a taxing authority within the county such property while held and owned by such taxing authority shall not be subject to tax claims

Upon the delivery by the sheriff of a deed for any property sold under the provisions of this section the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive and the validity thereof shall not be questioned for any cause whatsoever

Section 2 Section thirty-two of said act is hereby repealed insofar as it is inconsistent with the provisions of this amendment

All acts and parts of acts inconsistent with the provisions of this amendment are hereby repealed

On the question,

Will the Senate adopt the Report of Committee of Conference?

Mr. JASPAN. As I stated before, when this bill came up for final passage, I opposed it becouse it eliminates the equity of redemption and I think that is a very dangerous practice. On Wednesday of this week Senator Troutman in a similar bill struck out a provision that eliminated equity of redemption. I went along on that and I therefore feel the entire Senate should go along with me, as they did with Senator Troutman.

And the question recurring,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Farrell,	Mallery,	Thomas,
Berger,	Geltz	Rosenfeld,	Tyler,
Blass,	Heyburn	Scarlett,	Wade,
Bowers,	Homsher	Snowden,	Wagner,
Chapman,	James	Stevenson,	Walker,
Crider,	Jones	Tallman,	Wilson,
Crowe,	Kephart,	Taylor,	Carr,
Ealy,	Letzler,		Presiding Officer

NAYS—18

Barr,	Gourley	Leader,	Ruth,
Coleman,	Haluska	Margie,	Stiefel,
Cox,	Holland	McCreesh,	Troutman,
Dent,	Jaspan	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 548 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call up for consideration at this time the Report of the Committee of Conference on House Bill No. 548.

SENATE ADOPTS THE REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 548

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on House Bill No. 548, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 548, entitled, "An Act providing that when the contract of a fiduciary is made by him or approved by court, inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it"

Respectfully submit the following bill as our report:

CLARENCE D. BECKER,
WALLACE S. GOURLEY,
JAMES S. BERGER,
(Committee on the part of the Senate.)

REUBEN E. COHEN,
THOMAS H. LEE,
JOHN H. McKINNEY,
(Committee on the part of the House of Representatives.)

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When a fiduciary shall hereafter make a contract not requiring approval of court or when the court shall hereafter approve a contract of a fiduciary requiring

approval of court neither inadequacy of consideration nor the receipt of an offer to deal on other terms shall except as otherwise agreed by the parties relieve the fiduciary of the obligation to perform his contract or shall constitute ground for any court to set aside the contract or to refuse to enforce it by specific performance or otherwise Provided that this act shall not affect or change the inherent right of a court to set aside a contract for fraud accident or mistake.

Section 2 Nothing in this act shall affect the liability of a fiduciary for surcharge on the ground of negligence or bad faith in making a contract

Section 3 This act shall become effective immediately on final enactment

On the question,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Geltz	Letzler,	Taylor,
Berger,	Gourley	Mallery,	Thomas,
Blass,	Haluska	Margie,	Troutman,
Bowers,	Heyburn	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher	Rosenfeld,	Wagner,
Cox,	James	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,	Stiefel,	Carr,
Ealy,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:00 o'clock p. m. Eastern War Time.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 31, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land, and for the construction of a Governor's Mansion.

Senate Bill No. 37, entitled:

An Act fixing the fees of the recorder of deeds in counties of the fifth class.

Senate Bill No. 44, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, politcal bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Senate Bill No. 103, entitled:

An Act making an appropriation to the Department of Property and Supplies for additions repairs and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie.

Senate Bill No. 144, entitled:

An Act to amend section one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorces decrees, by county officers, free of charge, to disabled war veterans and their dependents in death and compensation cases; and prescribing penalties," by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties.

Senate Bill No. 175, entitled:

An Act to further amend sections four, ten, twelve, sixteen, seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by further regulating boxing, sparring and wrestling matches and exhibitions.

Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, person, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act;" providing for and regulating the change of width, grade, lines or location of state highways in such cities, the ascertainment and assessment of damages and benefits to abutting property in connection therewith, and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures; and making appropriations from the Motor License Fund.

Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district.

Senate Bill No. 355, entitled:

An Act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon, and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties.

Senate Bill No. 373, entitled:

An Act to further amend the act approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops, managers and owners of barber shops, barbers, teachers of barbering, students and apprentices.

Senate Bill No. 393, entilted:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons, providing for the regulation of public utilities, including, to a limited extent municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts, of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood.

Senate Bill No. 396, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield, and making an appropriation.

Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employers' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by terminating interest on accumulated deductions on the date of separating from school service.

Senate Bill No. 573, entitled:

An Act to further amend section one of the cat, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by providing an alternative method of collection of such tax.

Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased.

Senate Bill No. 723, entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine, of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authoriznig the board to conduct hearings and elections, and certify as to representatives of employers for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court, providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties, by further regulating judicial review.

Senate Bill No. 745, entitled:

An Act authorizing the Pennsylvania Historical Commission to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County; providing for the control and management thereof; authorizing the Pennsylvania Historical Commission to cooperate with other certain organizations; and making an appropriation.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT PRO TEMPORE. So that the Senate can adjourn sine die today promptly, I will call Senator Tallman to the rostrum to preside.

The PRESIDING OFFICER (O. J. Tallman) in the Chair.

HOUSE BILL No. 568 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time, on page 2 of the calendar, House Bill No. 568.

BILL OVER IN ORDER

Mr. McGINNIS. Mr. President, on behalf of Senator Cox, I ask unanimous consent that House Bill No. 568, on final passage, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 52 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time, on page 4 of the calendar, Report of Committee of Conference on Senate Bill No. 52.

SENATE ADOPTS THE REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 52

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on Senate Bill No. 52, as follows:

To the Member of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 52, entitled: "An Act relating to the practice, procedure, regulations and adjudication of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof, and preserving equitable jurisdiction in certain cases."

Respectfully submit the following bill as our report:

JOHN M. WALKER,
O. J. TALLMAN,
WALLACE S. GOURLEY,
(Committee on the Part of the Senate.)
JACOB L. MOSER,
DAVID P. REESE, JR.,
JOHN J. BAKER,
(Committee on the part of the House of Representatives.)

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Short Title and Definitions

Section 1 Short Title This act shall be known and may be cited as the "Administrative Agency Law"

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

(a) "Adjudication" means anv final order decree decision determination or ruling by an agency affecting personal or property rights privileges immunities or obligations of any or all of the parties to the proceeding in which the adjudication is made but shall not mean any final order decree decision determination or ruling based upon a proceeding before a court or which involves the seizure or forfeiture of property or which involves paroles or pardons

(b) "Agency" means any department departmental administrative board or commission independent administrative board or commission officer or other agency of this Commonwealth now in existence or hereafter created having statewide jurisdiction empowered to determine or affect private rights privileges immunities or obligations by regulation or adjudication but shall not include a court of record nor a magistrate alderman or justice of the peace

(c) "Party" means any person who appears in a proceeding before an agency who has a direct interest in the subject matter of such proceeding

(d) "Person" means any individual or organized group of any character including partnerships corporations and other forms of association as well as federal state or local instrumentalities political subdivisions or officers thereof

(e) "Regulation" means any rule regulation or order in the nature of a rule or regulation generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation

Representation and Discipline

Section 11 Representation Any party may be represented before an agency

Section 12 Discipline Any agency may upon hearing and good cause shown preclude any attorney from practice before it subject to the same right of appeal as hereinafter provided from adjudications

Regulation Procedure

Section 21 Publication of Existing Regulations All regulations of any agency which are in effect on the effective date of this act or which shall be promulgated within ninety days thereafter shall expire one hundred days after the effective date of this act unless codified indexed and filed within said period of one hundred days for publication in the Pennsylvania Register Regulations promulgated after ninety days and within one hundred fifty days after the effective date of this act shall expire one hundred sixty days after the effective date of this act unless filed for publication in the Pennsylvania Register within said period of one hundred sixty days

Section 22 Publication of Future Regulations Revisions and Amendments No regulation or revision amendment or repeal of an existing regulation promulgated after one hundred fifty days following the effective date of this act shall be valid unless published in the Pennsylvania Register within forty-five days after its adoption

Section 23 Emergency or Extraordinary Regulations The provisions of this act requiring publication may be dispensed with in cases in which the Department of Justice shall certify that because of an emergency or other compelling extraordinary circumstances the public interest requires that the regulation shall remain effective even though not published within the time required in section twenty-two In such cases the regulation together with a copy of the certification of the Department of Justice shall be published in the earliest available issue of the Pennsylvania Register

Adjudication Procedure

Section 31 Hearing and Record No adjudication shall be valid as to any party unless he shall have been afforded reasonable notice of a hearing and an opportunity to be heard All testimony shall be stenographically recorded and a full and complete record shall be kept of the proceedings

Section 32 Evidence Cross-examination Agencies shall not be bound by technical rules of evidence at agency hearings and all relevant evidence of reasonable probative value may be received Reasonable examination and cross-examination shall be permitted

Section 33 Briefs Oral Argument All parties shall be afforded opportunity to submit briefs prior to adjudication Oral argument upon substantial issues may be heard by the agency

Section 34 Adjudications Service All adjudications shall be in writing shall contain findings and the reasons for the adjudication and shall be served upon all parties or their counsel personally or by mail If service is made by mail the date of mailing shall be the date of service

Section 35 Procedural Regulations Agencies shall have the power to promulgate regulations prescribing their practice with respect to adjudication procedure not inconsistent with the terms of this act The adoption of such regulations shall be subject to the provisions of sections twenty-one to twenty-three inclusive hereof

Judicial Review

Section 41 Appeals Within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority then within thirty days after service of the order of the agency refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom Such appeal shall be taken to the Court of Common Pleas of Dauphin County Parties interested jointly severally or otherwise in the same adjudication may join in an appeal therefrom even though all of the interested parties do not join therein

Section 42 Procedure on Appeal The procedure applicable to appeals from adjudications shall be in accordance with the rules of civil procedure promulgated from time to time by the Supreme Court of Pennsylvania A party who proceeded before an agency under the terms of a particular statute shall not be precluded from questioning the validity of said statute in the appeal but such party may not raise upon appeal any other question not raised before the agency unless allowed by the court upon due cause shown

The remedy at law provided by this section shall not in any manner impair the right to equitable relief heretofore existing and such right to equitable relief is hereby continued notwithstanding the provisions of this section

Section 43 Supersedeas Unless otherwise provided by a statute authorizing a particular appeal no appeal shall

operate as a supersedeas unless the court to which the appeal is taken or a judge thereof shall so order after hearing Upon due notice to the agency the court may grant a supersedeas upon such terms and conditions including the filing of security as it may prescribe Where the statute pertaining to a particular subject of adjudication requires that security be filed as a condition to obtaining a supersedeas the court shall require adequate security

Section 44 Disposition of Appeal The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the agency After hearing the court shall affirm the adjudication unless it shall find that the same is in violation of the constitutional rights of the appellant or is not in accordance with law or that the provisions of sections thirty-one to thirty-five inclusive of this act have been violated in the proceeding before the agency or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence If the adjudication is not affirmed the court may set aside or modify ti in whole or in part or may remand the proceeding to the agency for further disposition in accordance with the order of the court

Section 45 Appellate Review The agency or any party affected by any decision of a court on an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior or Supreme Court as in other cases

Exemptions

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceeding before the Department of Revenue Auditor Genral Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund if taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of Sections 31 to 45 inclusive shall not apply to an adjudication of an agency from which an apepal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final

(b) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies

Repealer

Section 55 All acts or parts thereof inconsistent with the provisions of this act are hereby repealed All existing applicable statutory provisions not inconsistent with this act shall remain in full force and effect

Effective Date

Section 61 This act shall take effect on the first day of January one thousand nine hundred forty-six

On the question,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Leader,	Taylor,
Becker,	Farrell,	Letzler,	Thomas,
Berger,	Geltz	Mallery,	Troutman,
Blass,	Gourley	Margie,	Tyler,
Bowers,	Haluska	McCreesh,	Wade,
Carr,	Heyburn	McGinnis,	Wagner,
Chapmar,	Holland	Rosenfeld,	Walker,
Coleman,	Homsher	Ruth,	Wilson,
Cox,	James	Scarlett,	Woodring,
Crider,	Jaspan	Snowden,	Woodward,
Crowe,	Jones	Stevenson,	Tallman,
Dent,	Klein,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—1

Kephart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 583 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time, on page 6 of the calendar, House Bill No. 583.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 583, as follows:

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of the act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforc-

ing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securties or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocations protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" is hereby amended to read as follows

Section 409 Construction Improving Protection Abolition Crossings Recording * * *

(d) When any real property is appropriated by the commission under this section each parcel of such property so appropriated shall be accurately described by metes and bounds and the record owner of each such parcel shall be named in the order of appropriation The commission shall file with the recorder of deeds of the proper county a copy of that portion of the order of the commission which appropriates such property and such plans and other detailed information as the commission may deem necessary Such portion of the commission's order dealing with the specific property appropriated shall be recorded and indexed under the name or names of the record owners of such specific property at the expense of the [county] utility or utilities political subdivision municipality or municipalities governmental agency including the Department of Highways and Public Utilitly Commission corporation or persons upon whose instigation petition or complaint the said crossing was constructed reconstructed relocated altered or abolished as may be ordered to bear such expense of recording by the commission Provided that when such appropriation of real property has been recorded under the provisions of any other statute such recording shall not be duplicated under the terms of this section

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz	Letzler,	Thomas,
Blass,	Gourley	Mallery,	Troutman,
Bowers,	Haluska	Margie,	Tyler,
Carr,	Heyburn	McCreesh,	Wade,
Chapman,	Holland	McGinnis,	Wagner,
Coleman,	Homsher	Rosenfeld,	Walker,
Cox,	James	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Woodring,
Crowe,	Jones	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 641 CALLED UP

Mr. HEYBURN. Mr. President, on page 8 of the calendar, I call up for consideration at this time House Bill No. 641,

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 641, as follows:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitations of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision

or similar provision and providing for the execution delivery and recording of such release or disclaimer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" is hereby amended to read as follows

An Act relating to the release disclaimer reduction or limitation of a power of appointment including a power of consumption whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of any power or interest by virtue of any restriction in the nature of a spendthrift trust provision or similar provision and providing for the execution delivery and recording of such release or disclaimer

Section 2 Section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 1 [Any power of appointment over real or personal property which is exercisable by deed by will by deed or will or otherwise whether general or special other than a power in trust which is imperative is releasable either with or without consideration by written instrument signed by the person possessing the power and delivered as hereinafter provided] Any power of appointment including any power of consumption whether general or special other than a power in trust which is imperative and any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner which is reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision may be released or disclaimed either with or without consideration by written instrument signed by the person possessing the power or the interest and delivered as hereinafter provided

Section 3 Section two of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 2 A power or interest which is releasable or disclaimable under Section one hereof may be released or disclaimed either absolutely or conditionally and may also be released or disclaimed with respect to the whole or any part of the property subject to such power or interest and may also be released or disclaimed in such manner as to reduce or limit the persons or objects or classes of persons or objects in whose favor such power or interest would otherwise be exercisable except that no power or interest subject to a spendthrift trust provision or similar provision may be released or disclaimed except in favor of a remainderman No release or disclaimer of a power or of an interest shall be deemed to make imperative a power or interest which was not imperative prior to such release or disclaimer unless the instrument of release or disclaimer expressly so provides

Section 4 Section three of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 3 Such release or disclaimer may be delivered to any of the following

(a) Any person specified for such purpose in the instrument creating the power or interest

(b) Any trustee of the property to which the power or interest relates

(c) Any person other than the person possessing the power or interest who could be adversely affected by an exercise of the power or interest

(d) The recorder of deeds of the county in which the person possessing the power or interest resides or has a place of business or in which the deed will or other instrument creating the power or interest is recorded or filed

Section 5 Section four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 4 This act shall apply to releases and disclaimers heretofore and hereafter delivered

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the questions,

Shall the bill pass finally?

Mr. JONES. Mr. President, this bill relates to spendthrift trusts. If the Senators will refer to House Bill No. 641, Printer's No. 466, they will find an amendment on page 3. That amendment reads: "Any power of appointment including any power of consumption whether general or special other than a power in trust which is imperative and any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner which is reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision may be released or disclaimed either with or without consideration by written instrument signed by the person possessing the power or the interest and delivered as hereinafter provided."

To me that is a conglomerate conglomeration of words and it takes a Pittsburgh lawyer to unravel the meaning of that phraseology. But what the sponsor of this bill says—not the sponsor but the man who wrote the bill, a Mr. Stambach of Pittsburgh—is that it is a bill to permit a spendthrift trust to be transferred by a trustee or any other person in interest, which would be the beneficiary, of course, to another. In final analysis and ultimate deduction it means that a spendthrift trust in Pennsylvania can no longer be sustained unless it is expressly provided by the testator or the donor. I do not believe that is good law in Pennsylvania. Therefore I have been against this bill because no spendthrift should be permitted to disclaim or release his interest in a trust.

What is a spendthrift? It is an individual who has been prodigal, perhaps, in his life or an individual who is unable to hold money. You know, in the course of our lives we meet many folks who can earn plenty of money but can save very little, and so the testator or the donor, as the case may be, may desire to protect that individual from his own weaknesses and, being a father, mother, relative or other interested person, may set up for him or her a spendthrift trust so the donee can not spend the money, can not waste the estate, can not dispose of the property.

This bill proposes, as amended, to permit a trustee and the person having the interest, who would be the donee, the beneficiary, the life tenant, the privilege of converting the whole or any part of that interest to another.

In section 3 this bill provides that in the case of a spendthrift trust, however, the gift or conveyance can only be

made to a remainderman. That does not cover the situation entirely because as I see it anybody for whom a spendthrift trust is created can enter into an agreement with a remainderman to transfer his interest to such remainderman in consideration of the refund of a portion of it or in payment of a part of it, or a stated sum, and so it opens wide the gates for fraud and therefore it should not be countenanced.

I believe that spendthrift trusts are a very valuable arrangement. Many of the banks throughout the state of Pennsylvania have these trusts. They are made for a very excellent purpose and the stability, permanency and validity of those trusts should not be impinged or voided in any manner. This bill will do that.

We have talked about correcting the bill so that it would not be quite as bad. It was suggested that if the remainderman might be a charitable institution, religious institution or trust company, then, with the approval of the court having jurisdiction over such trust, a relief or disclaimer may be executed, but of course that is the law today, not this amendment, and it seems the only thing to do to preserve these spendthrift trusts in their integrity, in their stability, in their sterility, will be to defeat this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Letzler,	Taylor,
Becker,	Farrell,	Mallery,	Thomas,
Berger,	Geltz	Margie,	Troutman,
Blass,	Gourley	McCreesh,	Tyler,
Bowers,	Haluska	McGinnis,	Wade,
Carr,	Heyburn	Rosenfeld,	Wagner,
Chapman,	Holland	Ruth,	Walker,
Coleman,	Homsher	Scarlett,	Wilson,
Cox,	James	Snowden,	Woodring,
Crider,	Jaspan	Stevenson,	Tallman,
Crowe,	Klein,	Stiefel,	Presiding Officer
Dent,	Leader,		

NAYS—3

Ealy,	Jones	Kephart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 977 CALLED UP

Mr. HEYBURN. Mr. President, on page 14 of the calendar, I call up House Bill No. 977, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 977, as follows:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" is hereby amended to read as follows

Section 1 Be it enacted &c That hereafter the secretary of the board of inspectors of the Northampton county prison shall receive for his services as inspector and officer not more than the sum of [one hundred and fifty] five hundred dollars per annum and the prison inspectors shall each receive a salary of three hundred dollars per annum which salary shall be paid them out of the county treasury

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz	Letzler,	Thomas,
Blass,	Gourley	Mallery,	Troutman,
Bowers,	Haluska	Margie,	Tyler,
Carr,	Heyburn	McCreesh,	Wade,
Chapman,	Holland	McGinnis,	Wagner,
Coleman,	Homsher	Rosenfeld,	Walker,
Cox,	James	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Woodring,
Crowe,	Jones	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 568 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 568, on page 2 of the calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the final consideration of House Bill No. 568, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county

superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding between sections one thousand two hundred nine and one thousand two hundred ten thereof a new section to read as follows

Section 1209.1

The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

1 Districts of the first class Elementary teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increments one hundred dollars ($100) minimum number of increments thirteen (13) junior high school and special class teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty dollars ($120) minimum number of increments ten (10) high school teachers and vocational school teachers minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) supervisors minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred dollars ($100) minimum number of increments ten (10) elementary principals minimum annual salary two thousand three hundred dollars ($2,300) minimum annual increment one hundred seventy dollars ($170) minimum number of increments ten (10) all other principals except as herein otherwise provided minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4)

2 Districts of the second class Elementary teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments nine (9) high school teachers minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments nine (9) supervisors minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals minimum annual salary two thousand two hundred dollars ($2,200) minimum annual increments one hundred dollars ($100) minimum number of increments five (5) high school principals minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8)

3 Districts of the third and fourth class Teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments seven (7) principals having less than twenty-five (25) teachers under their supervision and who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) principals having twenty-five (25) or more teachers under their supervision and who devote one-half or more of their time to supervision and administration minimum annual salary two thousand two hundred dollars ($2,200) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) supervising principals having less than twenty-five (25) teachers under their supervision minimum annual salary two thousand four hundred dollars ($2,400) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) supervising principals having twenty-five (25) or more teachers under their supervision minimum annual salary two thousand eight hundred dollars ($2,800) minimum annual increment one hundred dollars ($100) minimum number of increments five (5)

4 All professional employes in all school districts of this Commonwealth hereinbefore referred to who have earned a Master's Degree at a college or university approved by the State Council of Education and who have received all increments provided for by this act shall be entitled to two (2) additional increments of one hundred dollars ($100) each

5 All professional employes and temporary professional employes who at the date of the enactment of these amendments are receiving a compensation from any school district equivalent to or in excess of the minimum prescribed in these amendments shall be placed on the schedule provided for by these amendments at the increment next above the compensation paid at the effective date of these amendments The term "compensation" as herein used shall include the salary and increments required to be paid under the provisions of section one thousand two hundred ten of this act prior to the enactment of these amendments any temporary increase required to be paid under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 786)

6 The term "teacher" as used in these amendments shall include all professional employes and temporary professional employes who devote fifty per centum (50%) of their time or more to teaching or other direct educational activities such as class room teachers demonstration teachers museum teachers counselors librarians school nurses dental hygienists home and school visitors and other similar professional employes and temporary professional employes certificated in accordance with the qualifications established by the State Council of Education

7 Substitutes shall be paid not less than the minimum salary provided for by these amendments

8 The minimum salary of all part-time teachers of children of exceptional physical or mental condition unable to attend regular public school or of part-time teachers supervisors and principals employed in the extension schools and evening vocational classes and classes of the Commonwealth established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes shall be two dollars ($2) per hour

9 Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be employed in giving instruction for only part of a day shall render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such service cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered

10 County Superintendents All county superintendents shall be entitled to the following minimum annual salary

In counties of a population of less than forty-five thousand (45,000) a minimum annual salary of four thousand dollars ($4000) in counties in which the population is forty-five thousand (45,000) and less than one hundred fifty thousand (150,000) a minimum annual salary of four thousand five hundred dollars ($4500) in counties in which the population is one hundred fifty thousand (150,000) or more a minimum annual salary of five thousand dollars ($5000)

11 Assistant County Superintendents Assistant county superintendents in all counties shall receive a minimum annual salary of three thousand five hundred ($3500)

12 County Supervisors of Special Education County supervisors of special education in all counties of the Commonwealth shall receive a minimum annual salary of three thousand five hundred dollars ($3500)

13 District Superintendents District superintendents in districts having a population of less than thirty thousand (30,000) shall receive a minimum annual salary of four thousand dollars ($4000) district superintendents in all districts having a population of thirty thousand (30,000) or more shall receive a minimum annual salary of five thousand five hundred dollars ($5,500)

14 The foregoing schedules prescribe a minimum salary in each instance and where an increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group of persons included in this schedule the initial salary or the amount of an increment or the number of increments

Nothing contained in this act shall be construed to interfere with or discontinue any salary schedule now in force in any school district provided such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

15 The increments herein provided for are applicable only where the beneficiaries thereof remain in the service of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teachers and the employing districts which agreement shall be made a part of the contract between them

Section 2 Article twelve of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Reimbursements by Commonwealth and Between School Districts

Section 1241 For the purposes of this subdivision of article twelve of this act the following terms shall have the following meanings

(1) "District Pupils" of a school district shall designate all pupils enrolled in the public schools of the Commonwealth who are residents of a given school district except those pupils who are enrolled in the public schools maintained by the vocational school district the territorial limits of which include the school district "District Pupils" of a vocational school district shall designate all pupils enrolled in the public schools maintained by the vocational school district who are residents of the district

(2) "District Teaching Units" A district's number of teaching units shall be obtained as follows (1) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school (2) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school and (3) add the quotients obtained under (1) and (2) above

(3) "Average Daily Membership" shall be computed in accordance with the rules of procedure as established by the Department of Public Instruction for the school term 1944-1945

(4) "Minimum Subsidy" shall designate the minimum amount per teaching unit payable by the Commonwealth to any school district or vocational school district under the provisions of this act The minimum subsidy shall be six hundred dollars ($600)

(5) "Maximum Subsidy" shall designate the maximum amount per teaching unit which may be payable by the Commonwealth to any one school district or vocational school district under the provisions of this act The maximum subsidy for the school year 1945-1946 and the school year 1946-1947 shall be one thousand eight hundred dollars ($1,800) and for each school year thereafter two thousand dollars ($2,000)

(6) "Standard Reimbursement Fraction" school districts or vocational school district's standard reimbursement fraction shall be computed annually in the month of November by the Department of Public Instruction

In the case of a school district its standard reimbursement fraction shall be computed for the school year 1945-1946 and the school year 1946-1947 by subtracting from one thousand eight hundred dollars ($1,800) an amount determined by multiplying the school district's assessed valuation per district teaching unit by five-one thousandths (.005) and dividing the difference so obtained by one thousand eight hundred dollars ($1,800) and for the school year 1947-1948 and for every school year thereafter by subtracting from two thousand dollars ($2,000) an amount determined by multiplying the school district's assessed valuation per district teaching unit by five-one thousandths (.005) and dividing the difference so obtained by two thousand dollars ($2,000)

A school district's assessed valuation to be used for purposes of computing the standard reimbursement fraction shall be the assessed valuation of the district's taxable real property as determined for the preceding year for county tax purposes Provided That if the assessed valuation as determined for county purposes does not adequately represent the market values of the taxable property the State Council of Education may ascertain such market values and base the reimbursement to any one school district upon the market values ascertained by the State Council of Education

In the case of a vocational school district its standard reimbursement fraction shall be computed for the school year 1945-1946 and the school year 1946-1947 by subtracting from one thousand eight hundred dollars ($1,800) an amount determined by multiplying the assessed valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by one thousand eight hundred dollars ($1,800) and for the school year 1946-1947 and for every school year thereafter by subtracting from two thousand dollars ($2,000) an amount determined by multiplying the assessed valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by two thousand dollars ($2,000)

A school district's or vocational school district's number of district teaching units for purposes of determination of the standard reimbursement fraction shall be obtained as follows (1) divided by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (2) divided by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (3) add the quotients obtained under (1) and (2) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (1) and (2) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district Provided That no school district or vocational school district shall be credited with less than one teaching unit or be assigned a reimbursement fraction lower in value than the minimum subsidy divided by the maximum subsidy Provided further That until the end of the school term during which the present hostilities shall cease as determined by proclamation of the Governor all one-room schools operated in accordance with the provisions of the act to which this is an amendment shall be credited with at least one teaching unit Upon cessation of such hostilities such one-room schools shall be credited with at least one

teaching unit only if their operation is approved by the State Council of Education

Section 1242 Every school district and every vocational school district shall be paid by the Commonwealth for the fiscal years 1945-1946 and 1946-1947 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by one thousand eight hundred dollars ($1,800) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1947-1948 and for every school year thereafter on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand dollars ($2,000) and by the district's standard reimbursement fraction

For no year shall any school district or vocational school district receive less than six hundred dollars ($600) per teaching unit

Section 1243 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school year 1945-1946 and for every school year thereafter on account of pupil transportation eligible for State reimbursement under the provisions of the act to which this is an amendment an amount to be determined by multiplying the cost of approved reimbursable pupils transportation incurred by the district by the district's standard reimbursement fraction

In addition thereto the Commonwealth shall pay to school districts and vocational school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Section 1244 Each school district regardless of claissification sending high school pupils to another school district or vocational school district or to a joint high school approved by the Department of Public Instruction shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of high school tuition an amount to be determined by multiplying the sum of "overhead cost per high school pupil" and "Instruction cost per high school pupil" as defined in section one thousand two hundred fifty-six of this act less the rental charge of eight dollars ($8) or in the case of district pupils attending a high school not located in this Commonwealth on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (1) by the number of district pupils sent to high schools of other districts or to a joint high school and (2) by the district's standard reimbursement fraction and (3) by seventy-five-one hundredths (.75) and (4) subtracting from the amount so obtained the per pupil state appropriation paid to the district where the pupil attends high school multiplied by the number of pupils

Section 1245 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter the sum of thirty-five dollars ($35) in vocational agriculture and vocational industrial education twenty dollars ($20) in vocational home economics education and fifty dollars ($50) in vocational distributive education per pupil in average daily membership in vocational curriculums approved by the Superintendent of Public Instruction

Section 1246 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved traveling expenses in the discharge of teaching and supervisory responsibilities of teachers coordinators supervisors and directors in vocational education eighty per centum (80%) of the sum expended by the school district for such approved travel

Section 1247 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved vocational extension classes at the rate of two dollars ($2) per hour of instruction approved by the Superintendent of Public Instruction

Section 1248 In the event that the Congress of the United States provides additional funds for vocational education the State Board of Vocational Education shall have authority to establish rules and regulations governing the administration and distribution of such funds

Section 1249 Every school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter the sum of twenty dollars ($20) per pupil in average daily membership in a course or courses for mentally handicapped children and the sum of thirty dollars ($30) per pupil in average daily membership in a course or courses for physically handicapped children approved by the Superintendent of Public Instruction

Section 1250 Every school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved extension classes and the instruction of home bound children an amount determined by multiplying the mandated minimum salaries of instructional employes conducting such classes and instructing home bound children by the district's standard reimbursement fraction

Section 1251 Every school district of the fourth class and every school district of the third class which is in or coterminous with a township shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of closed schools the sum of two hundred dollars ($200) for each school permanently closed or discontinued in the district since one thousand nine hundred eleven or which may hereinafter be permanently closed or discontinued or which was heretofore permanently closed or discontinued under the provisions of the act approved the twenty-fifth day of April one thousand nine hundred one (P. L. 105) entitled "An act to provide for the centralization of township schools and to provide high schools for townships"

Section 1252 On or before the first day of August one thousand nine hundred forty-five and on or before the first day of August of every year thereafter each school district and each vocational school district shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing attendance data for all pupils during the preceding school term classified into such groups as the Superintendent of Public Instruction shall direct together with such other information as the Superintendent of Public Instruction shall require in order to enable him to properly administer the provisions of these amendments

Section 1253 On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of full-time teachers supervisors principals and other full-time members of the teaching and supervisory staffs the number thereof employed in elementary schools and the number employed respectively in three and four year junior high schools the certificates held by each and the compensation paid each for the current school year and showing further the number of part-time teachers supervisors and principals employed

in extension schools and classes established as herein provided the certificates held by each and the compensation paid each during the preceding school year On or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of the fourth class and each vocational school district shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Section 1254 On or before the first day of July one thousand nine hundred forty-five and on or before the first day of July of every year thereafter the board of revision, of taxes of counties of the first class the board of property assessment appeals and review of counties of the second class the board for the assessment and revision of taxes of counties of the third class and the county commissioners of all other counties shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the assessed valuation of all real property in each school district in the county on which the taxes for the then current year are levied

Section 1255 The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school district and vocational school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred forty-five and ending on May thirty-first one thousand nine hundred forty-seven and each biennium thereafter on the data and material contained in the certificates which school districts and vocational school districts are required by these amendments to file with the superintendent immediately preceding the beginning of each biennium The superintendent shall apportion and allot the same to and among the respective districts The amount paid to any district within any biennium shall be computed on the data and information contained in the certificates required to be filed each year as herein provided In no case shall the amount paid to any district exceed the amounts computed on such data

Section 1256 When the amount payable to each district has been ascertained and determined by the Superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district and vocational school district under the supervision of such county or district superintendent

Section 1257 The amount apportioned and allotted to each school district or vocational school district shall be divided into equal semi-annual installments and the Superintendent of Public Instruction shall draw his requisition semi-annually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be made to fourth class school districts and to vocational school districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Section 1258 The Superintendent of Public Instruction may refuse to authorize the payment of any amount payable to any school district or vocational school district for the school year commencing the first day of July one thousand nine hundred forty-five or any school year thereafter which school district or vocational school district shall at any time hereafter fail or refuse to pay to the members of its teaching and supervisory staffs the full amount of the minimum salaries and increments required by law He may continue to withhold such requisitions until provision has been made by the school district or vocational school district for the payment of such minimum salaries and increments

Section 1259 In addition to the payments herein provided on account of the instruction of district pupils and on account of schools permanently closed or discontinued in any district each district shall receive its several apportionments as herein provided that shall have become due by reason of increase in the number of district pupils subsequent to the certificate to the Superintendent of Public Instruction immediately previous to the beginning of the fiscal biennium and its apportionment as herein provided for additional schools permanently closed or discontinued subsequent to such certificate Such payments shall be made after certificate to the Superintendent of Public Instruction in the biennium year in addition to the last quarterly payment of the biennium as hereinafter provided

Section 1260 A school district or vocational school district receiving elementary or high school pupils who are residents of another school district or another vocational school district shall compute the tuition charges as follows

(1) General Add the salaries of secretaries treasurers auditors superintendents the cost of library books the salaries of librarians lectures health medical nurse and dental services the wages of janitors and other comparable employes the cost of fuel water light and power the cost of maintenance of school plant including ordinary repairs but not including alterations or remodeling the cost of attendance at teachers' institutes and the district's contribution to the retirement fund on behalf of the above listed employes and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's public schools The quotient so obtained shall be designated the "overhead cost per pupil"

(2) Elementary Tuition Charge Add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's elementary schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's elementary schools the cost of text books and supplies of the second class used in the district's elementary schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's elementary schools The quotient so obtained shall be designated as the "instruction cost per elementary pupil" Add to the instruction cost per elementary pupil the overhead cost per pupil and a rental charge of eight dollars ($8) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of elementary school teaching units The cost so determined shall be the "tuition charge per elementary pupil"

(3) High School Tuition Charge Add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's high schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's high schools the cost of text books and supplies of the second class used in the district's high schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's high schools The quotient so obtained shall be designated as the "instruction cost per high school pupil" Add to the instruction cost per high school pupil the overhead cost per pupil and a rental charge of eight dollars ($8) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of high school teaching units The cost so determined shall be the "tuition charge per high school pupil"

Section 1261 For each elementary or high school pupil attending a public school of another district the receiving district shall bill the sending district and the sending district shall pay the amount of the tuition charge per

elementary pupil or the tuition charge per high school pupil as the case may be In the case of pupils attending the receiving district's public schools for less than a full school term the tuition charge per elementary or high school pupil shall be prorated by reference to the period of time over which such pupils actually attended the receiving district's schools

Section 1262 The board of school directors in any school district or the board of directors of vocational schools in any vocational school district maintaining an elementary school or a high school which is attended by any pupils residing in another district shall upon admission of such pupils properly certify to the board of school directors of the school district in which such pupils reside the names of all such pupils and whether they are attending an elementary school or a high school together with a statement of the tuition charge per elementary pupil and the tuition charge per high school pupil All such tuition charges shall be paid monthly to the school district or the vocational school district maintaining such elementary school or high school by the school district to which the same was certified

Section 1263 If any school district wherein a pupil resides who is entitled by law to attend an elementary school or a high school in another district neglects or refuses to pay any such tuition charge the Superintendent of Public Instruction is authorized to deduct from any moneys due any such district out of any State appropriation the amount due from such district to the district where the pupil attends and pay over said sum to the district entitled thereto

Section 3 The first paragraph of section one thousand four hundred four of said act as amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the [cost of his tuition textbooks and school supplies only which shall not exceed that of the tuition textbooks and school supplies or other pupils pursuing similar courses of studies in the same schools] tuition charge provided for by this act The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district

Section 4 Section one thousand four hundred five of said act as amended by the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 628) is hereby further amended to read as follows

Section 1405 The board of school directors of every school district in this Commonwealth shall for the purpose of designating the schools to be attended by the several pupils in said district subdivide the same in such manner that all the pupils in each school district shall be assigned to and reasonably accommodated in one of the public schools in said school district Provided That the board of school directors may upon cause shown permit any pupil or pupils in any school district to attend such other school in said district as the board may deem proper or may classify and assign the pupils in the district to any such school or schools therein as it may deem best in order to properly educate the same Provided further That whenever any child or children of compulsory school age have their residence more than two miles by the nearest public highway from the school to which they have been assigned within the district and free transportation for such child or children to a school within the district is not provided and there is a school in session in some other district in the Commonwealth within two miles by the nearest public highway of the residence of such child or children the board of school directors shall reassign such child or children to this school in another district unless the consent of the board of directors of said district is refused and shall pay to said district the [cost of tuition textbooks and supplies of such child or children and this] tuition charge provided for by this act This provision shall include also in like manner assignment to high schools in the case of pupils under sixteen years of age who are qualified to be enrolled in such high schools Provided further That hereafter it shall be unlawful for any school director superintendent or teacher to make any distinction whatever on account of or by reason of the race or color of any pupil or scholar who may be in attendance upon or seeking admission to any public school maintained wholly or in part under the school laws of the Commonwealth

Section 5 Section one thousand four hundred six of said act as last amended by the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) and the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2583) is hereby further amended to read as follows

Section 1406 (a) The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better gradation and classification or other reasons close any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools or upon cause shown be permitted to attend schools in other districts

Whenever the average term attendance of pupils regularly enrolled at any one-room school in any school district of the fourth class or township which is a district of the third class is ten or less than ten the board of school directors shall close such school

(b) If the board of school directors does not deem it feasible to close such school it may present its petition to the State Council of Education showing the reasons why such school should not be closed thereupon the State Council of Education shall consider such petition and shall make such order as may seem just in the premises If any school as aforesaid has been closed because the average term attendance of pupils enrolled was ten or less than ten and has been reopened upon order of the State Council of Education and the average term attendance is twelve or more after such reopening such school shall be considered re-established

(c) In any district of the fourth class or township which is a district of the third class elementary school pupils who reside within that part of the school district last served by any elementary school closed since the first Monday of July one thousand nine hundred and seven or within a district all of whose schools have been closed or who are assigned to a training school of a State Normal School and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the elementary school to which they are assigned All such transportation routes to be used after the first day of July one thousand nine hundred and thirty-eight shall be established with the advice and assistance of the county board of school directors of the county In any case after such date when two or more school districts jointly use the same transportation facilities the cost of such transportation shall subject to the approval of the State Council of Education be apportioned among such districts by the county board of school directors

(d) All vehicles hereafter purchased or placed in use for the transportation of pupils whether owned or hired

by the school district shall conform to standards prescribed by the State Council of Education Such standards when promulgated by the State Council of Education may be revised not oftener than once each year and whenever new requirements are made they shall be published at least six months before they shall become effective and shall apply only to vehicles thereafter purchased or put in use

(e) Whenever the board of school directors in any fourth class district or township which is a district of the third class agrees to or is required to provide transportation for any pupils such board of school directors may upon petition of the parent guardian or person in parental relation to any of said pupils in lieu of providing such transportation pay for suitable board and lodging for such pupils if such board and lodging is secured in the home of a near relative of the pupil or in a proper school or home approved by the person making the petition In no such case shall the State's share exceed one dollar ($1.00) per day per pupil for the actual number of days pupil is in attendance at school not exceeding five days in any one week

(f) If the Department of Public Instruction approved the transportation as to methods and means and the contracts provided therefor the Commonwealth will pay annually the amounts provided for by this act to the school district furnishing such transportation [an amount determined by (a) the true valuation per teacher per district as provided by section one thousand two hundred and ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended and by (b) a given per centum of the sum which has been expended during the previous school year by such a school district for transporting pupils of said school to and from said schools as follows The amount paid by the Commonwealth to a school district which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five (75) per centum more than fifty thousand dollars ($50,000) to one hundred thousand dollars ($100,000) sixty (60) per centum and more than one hundred thousand dollars ($100,000) fifty (50) per centum Provided That in case said school district has purchased or shall hereafter purchase an approved school conveyance which is used exclusively for approved school purposes said payment by the Commonwealth for such transportation may include a reasonable charge for depreciation and repairs not to exceed in any year fifteen (15) per centum of the cost of said approved school conveyance Provided That the State's share of depreciation and repairs shall not exceed one hundred dollars ($100) per vehicle per year Provided further That the State's share for transportation shall not exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is transported to and from school Provided further That districts receiving reimbursement on the basis of seventy-five (75) per centum and sixty (60) per centum shall not receive more than four thousand dollars ($4,000) in any one school year from the State for transportation Provided further That districts receiving reimbursement on the basis of fifty (50) per centum shall not receive more than three thousand dollars ($3,000) in any one year from the State for transportation]

[After the first day of July one thousand nine hundred and thirty-nine if the Department of Public Instruction approves the transportation and means and the contracts provided therefor the Commonwealth will pay annually to the school district furnishing such transportation an amount determined according to the following schedule of reimbursement To a school district which has a true valuation per teacher of assessable property of twenty-five thousand dollars ($25,000) or less ninety per centum (90%) more than twenty-five thousand dollars ($25,000) but not more than fifty thousand dollars ($50,000) eighty per centum (80%) more than fifty thousand dollars ($50,000) but not more than seventy-five thousand dollars ($75,000) seventy-five per centum (75%) more than seventy-five thousand dollars ($75,000) but not more than one hundred thousand dollars ($100,000) seventy per centum (70%) more than one hundred thousand dollars ($100,000) but not more than one hundred fifty thousand dollars ($150,000) sixty-five per centum (65%) more than one hundred fifty thousand dollars ($150,000) but not more than two hundred thousand dollars ($200,000) sixty per centum (60%) more than two hundred thousand dollars ($200,000) but not more than two hundred fifty thousand dollars ($250,000) fifty-five per centum (55%) more than two hundred fifty thousand dollars ($250,000) fifty per centum (50%) After the first day of July one thousand nine hundred and thirty-nine in any case where any such school district has purchased or shall hereafter purchase an approved school conveyance which is used exclusively for approved school purposes said payment by the Commonwealth for such transportation may include a reasonable charge for depreciation and repairs not to exceed in any year fifteen per centum (15%) of the cost of said approved school conveyance The State's share of such depreciation and repairs shall not exceed two hundred dollars ($200.00) per vehicle per year Provided That the States share for transportation shall not exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is transported to and from school Provided That no district shall receive from the Commonwealth in any one year more than eight thousand dollars ($8,000) as reimbursement for transportation]

(g) On or before the first day of July of each year each school district of the third and fourth class transporting pupils as herein provided shall present to the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him a sworn statement of the amount expended during the previous school year for transporting pupils to and from school as herein provided On the basis of such a statement the Superintendent of Public Instruction shall be requisition upon the State Treasurer pay during the month of September to such school district such reimbursement for the previous school year as is provided for in this act The State Council of Education may for cause specified by it direct the withholding of such reimbursement in any given case permanently or until the school district has complied with the law or regulations of the State Council of Education

Section 6 Section one thousand four hundred seven of said act as amended by the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 628) is hereby further amended to read as follows

Section 1407 If any pupils are assigned to an adjoining district the district where such pupils reside shall promptly pay to the district in which they attend school the [cost of tuition textbooks and school supplies only which shall not exceed that of the tuition textbooks and school supplies of other pupils pursuing similar courses or studies in the same schools] tuition charge provided for by this act Provided That the consent of the board of school directors of the district to which the pupils of any closed school are assigned shall be first obtained

Section 7 Section one thousand seven hundred nine of said act is hereby amended to read as follows

Section 1709 If any child has completed the elementary course of study in the public schools of the district in which he resides and resides three or more miles by public road from the nearest high school in said district unless proper free transportation is furnished he may attend any more convenient high school in another district without the consent of the board of school directors of

the district in which he resides and the district in which he resides shall be liable to the district whose high school he attends for the [cost of his tuition textbooks and supplies as] tuition charges provided for in this act

Section 8 Subsections one two three four five six seven seven A eight nine ten eleven nineteen twenty twenty-one twenty-two twenty-three twenty-five and twenty-six of section one thousand two hundred ten and sections one thousand four hundred forty-one one thousand four hundred forty-three one thousand seven hundred eight one thousand seven hundred eleven one thousand seven hundred eleven A one thousand seven hundred sixteen and one thousand seven hundred seventeen of said act section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for state aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" section four of the act approved the eighteenth day of June one thousand nine hundred nineteen (P. L. 498) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" and the last paragraph of section six of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational school departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" and all amendments thereof are hereby repealed except in so far as they apply to any payments due from the Commonwealth for the school year 1944-1945 or any school year prior thereto

Section 9 The amount of the payment to be made by the Commonwealth to each school district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff shall be determined in accordance with the provisions of section one thousand two hundred ten of the act amended hereby plus the full amount paid to the district during the school year 1944-1945 under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 786) entitled "An act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse schools districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases authorizing additional temporary increases and validating such increases heretofore made" In addition thereto the Commonwealth shall pay to each school district of the third and fourth class the sum of one hundred dollars ($100) for each member of the teaching and supervisory staff employed by the district during the school term 1945-1946 in order to enable such districts to put into effect the new minimum salary schedule provided for by these amendments

The amount of the payment to be made by the Commonwealth to any school district during the school year 1946-1947 on account of the instruction of pupils under the provisions of section one thousand two hundred forty-two as added to the act amended hereby shall not be less than the amount paid to the district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff of the district

Section 10 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-five

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. COX. It is my privilege to present the position of the minority, the great Democratic Party of Pennsylvania, with regard to this bill. We are going to cast our eighteen votes for this bill because we realize that this is the last night of this session of the Legislature and there is nothing else we can do in our plea to better the conditions of the school teachers of Pennsylvania. On Thursday night we did everything in our power to increase the compensation which this bill would give to the school teachers of Pennsylvania and to increase the distribution of funds to the various school districts throughout this Commonwealth.

Tonight we have to make a choice—whether this bill should be defeated or whether it should pass. We are not satisfied with the contents of the bill, but we admit frankly that there is an increase in the amount of compensation paid to the various classes of school teachers, and there also is an increase in the amount of distribution of funds of the Commonwealth to the various school districts, and for those reasons we are going to vote for the bill.

We sincerely hope that the men who are interested in the problem of education in Pennsylvania, as evidenced by their consideration of the matter in this session of the Legislature, will continue their interest in the future so that perhaps in 1947 there will be real reform in the educational system of Pennsylvania.

Mr. WAGNER. Mr. President, I would like to be permitted to have about five minutes to sum up the considered opinion of educators on the current version of House Bill No. 568. I rather regret that the Senator from Allegheny did not permit Senator Homsher or myself to speak first this evening. I think I might have saved him a bit of embarrassment.

I studiously avoided any injection of politics in the presentation of our amendments the other evening because to improve our public schools is a matter of common interest and concern to statesmen regardless of political affiliations.

In fact, I have always felt a bit kindly towards Democrats, because when I was a very small boy my dear old grandfather was an old line Democrat and he would wager me every election that the Democrats would win, so pretty nearly every time there was an election I ate ice cream, and a Democrat to my mind came to mean chocolate ice cream for Sunday night supper.

My second reason for making my statement about avoiding embarrassment is because tonight there is no longer anything to debate about this bill. At five o'clock Friday morning there might have been something about which to argue, but at ten o'clock on Saturday night word has come from all corners of the state that this is

considered the most magnificent school legislation that Pennsylvania has adopted in a hundred years.

About twenty-nine years ago we enacted into law the present Edmonds Act, which has redowned to the everlasting credit of Senator Edmonds, its sponsor, and I say to you this evening that within the next two years, whether you are a member of this Senate at that time, on either side of the Senate, or whether you be a judge or back in private life, you will be boasting about the fact that you voted "yes" on House Bill No. 568 and you will be ashamed by that time to have anybody look at the record and see how much you were worried about it.

I emphasized as clearly as I could the other morning that this was not a teacher's bill, it was a school bill, but I am very happy that we, the sponsors of the bill, were able to include increases for teachers in it.

I would like to point out to the gentleman from Allegheny county, and to those who are genuinely interested in teachers, that the fourth class district teacher—about whom we worried so much for so many years—will have a mandated minimum salary with increments of $2,100 a year, and that fourth class district school teachers will be entitled, at the age of 62, to retire at a compensation of $1,000 a year, which is more than the yearly mandated salary during the Earle administration.

I tell you, gentlemen, have no concern, everybody will be well taken care of. My only regret tonight is that my own name does not appear somewhere among the sponsors of this bill, because they are going to have a place in school history similar to that which Senator Edmonds has enjoyed these many years.

I want to add a further thought, which may be helpful. It is just possible that somebody in the Senate may not be thoroughly conversant and familiar with all the details of this bill. We have, through the courtesy of the State Education Association, a four page summation of just exactly what this bill does. When you go back home and you boast of the fact that this bill passed by unanimous vote of the Senate, as I think it will be unanimously concurred in by the House, I want you to take this folder along and I can assure you that you will be able to explain and answer anything regarding the provisions of the bill. I shall bring copies around personally to you members on both sides of the Senate, if I may pay you a little visit, and I am going to submit a copy of it for the record so that your constituents who get the Legislative Journal can see it. I am only going to call your attention to one correction that ought to be made, on the first page. When you get this you will find, about half way down the page, a schedule which provides for principals with more than twenty-five teachers a minimum salary of $2,200, with four increments of $100 each. It shows four on the sheet which I am going to give you, but five is the correct number of increments for principals with more than twenty-five teachers.

I am happy to make this statement, gentlemen, because Senator Homsher and I have had entrusted to us a great responsibility in the disposition of this bill and we want to say to the Senators on each side of the Senate who have given us their confidence that they need have no fear of the job that has been done.

I want to say further that no man could have been more sympathetic and concerned with this piece of legislation than Governor Edward Martin. Day after day he sat down at luncheon, and gave of his valuable time, as high as two hours, to discussion with the sponsors of the bill and the representatives of the Senate, each and all of its features, and the effects that it would have upon our public school system, and I am very emphatic about that, because frankly, as a friend of the public schools and as a man who has fought in the line of legislation for all these betterments for the interests of the teachers and the children, it makes me very disturbed to find some people have failed to appreciate the magnificent advances in appropriations and subsidies to schools that have been gained because of the interest of the present Governor of the state of Pennsylvania.

When he goes out of office and looks back at the increase from some $61,000,000 in 1937 to $130,000,000 plus millions of dollars which will be appropriated for school purposes in the next biennium, with an additional $16,000,000 pledged for the following biennium, he will have every occasion in the world to be proud not only of the contribution that he made to this state and nation as a soldier but also the contribution that he has made to education as Governor.

Mr. President, I ask unanimous consent to have included in the Legislative Journal the summations of the provisions of House Bill No. 568, entitled "Summarized Provisions of H. B. 568."

The PRESIDING OFFICER. Is there objection? The Chair hears none. Permission is granted.

SUMMARIZED PROVISIONS OF H. B. 568

A New Salary Schedule

	Minimum	Increments	Maximum
First Class District			
Elementary teachers	$1400	13 at $100	$2700
Junior High and special class teachers	1800	10 at 120	3000
High School and Voc. School teachers ..	2000	8 at 175	3400
Supervisors	2000	10 at 100	3000
Elementary Principals	2300	10 at 170	4000
Other Principals ...	4000	4 at 250	5000
Second Class District			
Elementary teachers	1400	9 at 100	2300
High School teachers	1600	9 at 100	2500
Supervisors	1600	8 at 100	2400
Elementary Principals	2200	5 at 100	2700
High School Principals	3000	8 at 125	4000
Third and Fourth Class Dists.			
Elementary and Secondary Teachers ..	1400	7 at 100	2100
Principals less than 25 teachers	2000	5 at 100	2500
Principals more than 25 teachers	2200	5 at 100	2700
Supervising Principals less than 25 teachers	2400	5 at 100	2900
Supervising Principals more than 25 teachers	2800	5 at 100	3300
County Sperintendents (Less than 45,000)	4000		
(45,000 to 150,000) .	4500		

(150,000 or more) .. 5000
Assistant Co. Superintendents 3500
Co. Supervisor of Spec. Education .. 3500
Dist. Supts. Less than 30,000 4000
(30,000 or more 5500

Incentive for Teacher Growth

All professional employes in all school districts of this Commonwealth hereinbefore referred to who have earned a Master's Degree at a college or university approved by the State Council of Education and who have received all increments provided for by this act shall be entitled to two additional annual increments of $100 each.

The Cost of Living increases made a part of the permanent salary schedule.

Reimbursement by Commonwealth and Between School Districts

The unit of reimbursement measured by the number of pupils—22 high school pupils constitute a unit and 30 elementary pupils constitute a unit.

The amount of reimbursement of subsidy

Maximum $1800 for two year and $2000 each year thereafter per teacher unit.

Distribution on a standard reimbursement fraction

This formula was the one recommended by the School Commission. When applied it recognizes the capacity of the district to support school as well as its need. The poorer the district the greater will be the support from the State under equalization. The wealthier the district the less support, with a guarantee that no district shall receive less than $600 per teaching unit.

In determining the ability of the district to support schools, the assessed value in effect for county purposes is used.

Tuition—A revision is made of the present method of computing and reimbursing high school and elementary school tuition. That is, again, a recommendation of the School Commission.

The method of determining reimbursement, namely the standard reimbursement fraction is used for not only determining subsidies for teachers but also transportation, tuition, and other phases of the school program.

A special reimbursement is provided for special types of education as follows:

Vocational, agricultural and industrial education .....$35 per pupil
Home Economics education .....$20 per pupil
Distributive education .....$50 per pupil
Physically handicapped children .....$30 per pupil
Mentally handicapped children .....$20 per pupil

Extension classes and home-bound children reimbursed on the standard reimbursement fraction

Vocational extension classes $2 per hour

PUTTING THE PLAN INTO EFFECT

The appropriations for school purposes under present laws are paid one year after the expenditures by the school district. The machinery required to put this bill into effect does not permit the use of the equalization for next year. The bill provides that for next year school districts shall receive their regular appropriation plus cost of living in like amount and manner as last year, plus $100 per teacher in third and fourth class districts. The equalization phases of the bill will become effective in the succeeding year of the biennium so far as payments to the districts are concerned. The effect of the application of a bill so extensive in its provisions as this one cannot be determined in advance for each individual district.

To safeguard each district in the Commonwealth, therefore, the bill provides that for the year 1946-47, the first year that the equalization formula will be effective, no district shall receive a less amount from the State than it received during 1945-46.

The equalization formula when it becomes effective will for two years enable each school district to provide $1800 worth of education per teacher—pupil unit at a local tax levy of five mills on the county assessed value of real estate and thereafter to provide an additional cost program of $2000 per teacher-pupil at the same local tax on real estate, namely, five mills.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz	Letzler,	Thomas,
Blass,	Gourley	Mallery,	Troutman,
Bowers,	Haluska	Margie,	Tyler,
Carr,	Heyburn	McCreesh,	Wade,
Chapman,	Holland	McGinnis,	Wagner,
Coleman,	Homsher	Rosenfeld,	Walker,
Cox,	James	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Woodring,
Crowe,	Jones	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RISING VOTE OF THANKS

Mr. WADE. Mr. President, I move you that this body give a rising vote of thanks to Senator Homsher, Chairman of the Committee on Education, and to Senator Wagner, for making a tremendous contribution to the fine cause of education in Pennsylvania and for their untiring efforts in seeing that the two bodies have been brought together and that House Bill No. 568 has been passed on an equitable basis; I move you, Sir, that a rising vote of thanks be given.

Mr. TAYLOR. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, the question of how well a job has been done is always one of opinion. I do not want to take a negative position in this matter, but while we are standing up in order to give credit to two gentlemen on the other side who have worked so diligently towards reaching some conclusion in this important matter, I believe that we ought to include in that a member of the minority who, although he fought hard and long for a greater grant than what is being given under this bill, it must always be remembered that the greater reforms come from a minority fighting for them, and so, with the permission of the man who made the motion, I would like to include in that group to be honored at this time by a rising vote of thanks, Senator John Freemont Cox and Senator Frank W. Ruth, who have worked so diligently for this legislation.

The PRESIDING OFFICER. Is the amendment accepted?

Mr. WADE. I amend the motion to include the entire Committee on Education.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1082

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1082, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records.

HOUSE CONCURS IN SENATE BILL No. 319

He also returned to the Senate, Senate Bill No. 319, entitled:

An Act to further amend section thirty-two of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors, of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniiture and household goods, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 320

He also returned to the Senate, Senate Bill No. 320, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 321

He also returned to the Senate, Senate Bill No. 321, entitled:

An Act to further amend section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporation real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 322

He also returned to the Senate, Senate Bill No. 322, entitled:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating the check-up of registered electors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 323

He also returned to the Senate, Senate Bill No. 323, entitled:

An Act to further amend section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 473

He also returned to the Senate, Senate Bill No. 473, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 502

He also returned to the Senate, Senate Bill No. 502, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 675

He also returned to the Senate, Senate Bill No. 675, entitled:

An Act to repeal The General State Authority Act of 1935 and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth

with the information that the House has passed the same without amendments.

SENATE BILL No. 183 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 183, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 197 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college any properties acquired by it from The General State Authority which are being used by such land grant college; and making an appropriation

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be laid on the table.

SENATE BILL No. 197 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 197, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college any properties acquired by it from The General State Authority which are being used by such land grant college; and making an appropriation

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by inserting after the word "college" at the end of line 8, and before the word "any" at the beginning of line 9, the following: "or the State Farm Products Show Commission"; Amend the title, page 1, line 11 of the title, by inserting after the word "college" and before the word "and", the following: "or such commission"; Amend Section 4, page 3, line 16, by inserting after the word "college" and before the word "said", the following: "or the State Farm Products Show Commission"; Amend Section 4, page 3, line 18, by inserting after the word "college", the following: "or the State Farm Products Show Commission".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 57 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 57, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 11, by striking out after the word "any" and before the word "rule", the word "general"; Amend Section 2, page 2, line 12, by inserting after the word "order" and before the word "promulgated", the following: "generally applicable to the public"; Amend Section 2, page 2, lines 12 to 15, inclusive, by striking out after the word "agency" on line 12, the following: "prescribing the practice or procedure before such agency or interpreting or implementing any statute enforced or administered by such agency", and inserting in lieu thereof, the following: "authorized by statute so to do"; Amend Section 6, page 4, line 7, by striking out after the word "Register" and before the word "days", the following: "at least ten", and inserting in lieu thereof, the following: "within forty-five"; Amend Section 6, page 4, lines 7 and 8, by striking out after the word "days" on line 7, and before the word "This" on line 8, the following: "before the date on which it is to become effective", and inserting in lieu thereof, the following: "after its adoption"; Amend Section 6, page 4, line 9, by striking out after the word "the" and before the word "shall", the word "Governor", and inserting in lieu thereof, the following: "Department of Justice"; Amend Section 6, page 4, line 13, by striking out after the word "the" and before the word "shall", the word "Governor", and inserting in lieu thereof, the following: "Department of Justice"; Amend the bill, page 6, by inserting after line 22, the following: "Section 14 Effective date This act shall take effect on the first day of January one thousand nine hundred forty-six".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 106 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table

Senate Bill No. 106, on concurrencce in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 106, entitled:

An Act to further amend sections two hundred twenty, and two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters, and the boundary lakes, and boundary rivers of the Commonwealth," increasing the resident fishing license fee; and limiting the use of the money derived from such increase

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 7, by striking out after the word "for" on line 6, the following "I the ac-" and all of lines 7 to 20, inclusive, and inserting in lieu thereof, the following: "the further propogation and distribution of fish."

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 106

Mr. HEYBURN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 106.

Mr. CROWE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 538 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 538, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 538, entitled:

An Act to amend section eight of the act, approved the eighth day of May, one thousand nine hundred forty-four (Act No. 2), entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1343), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" by further regulating the disposition of military files

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 8, page 2, line 22, by inserting after the word "election" and before the word "shall", the following: "except the county board of any city of the first class; Amend Section 1, Section 8, page 2, line 22, by striking out after the word "election" and before the word "shall", the following: "except the county board of any city of the first class."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 539 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 539, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May, one thousand nine hundred forty-four (Act No. 1) entitled, "A Supplement to the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand three hundred thirty-three), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the

Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" further regulating the disposition of military files

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend page 2, line 1, by inserting before the word "Section" the following: "Section 1."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 687 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 687, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 687, entitled:

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 1105, line 21, by striking out after the word "upwards" and before the word "be", the word "shell" and inserting in lieu thereof the word "shall." Amend Section 1, Section 1105, line 23, by inserting after the word "presumed", the following: and in all such cases the board of supervisors may formally by resolution declare such road to be vacated and a copy of such resolution shall be filed with the clerk of the court of quarter sessions of the county and a copy thereof with the Department of Highways of the Commonwealth; Amend Section 2, Section 1115, page 4, line 15, by striking out at the end of the line after the word "located" the word "and" and inserting in lieu thereof the word "or".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 183 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 183, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 183, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 3 of the title, by inserting after the word "method", the following: regulating such mining and providing penalties; Amend Section 3, page 3, lines 6 and 7, by striking out after the word "removed" on line 6, the following: and the additional area covered by the spoil pile; Amend Section 4, page 3, lines 9 and 10, by striking out after the word "coal" on line 9, and before the word "within" on line 10, the following: on any tract of land: Amend Section 4, page 3, line 22, by striking out after the word "The" and before the word "bond", the following: penalty of such; Amend Section 4, page 3, line 23, by striking out after the word "of" and before the word "per", the following: one hundred dollars ($100.00), and inserting in lieu thereof, the following: two hundred dollars ($200.00); Amend Section 4, page 3, line 25, by striking out after the word "be" and before the word "by", the word "affected" and insert in lieu thereof the word

"stripped"; Amend Section 4, page 3, line 27, by striking out after the word "than", the following: one thousand dollars ($1,000.00), and inserting in lieu thereof, the following: two thousand dollars ($2,000.00); Amend Section 4, page 4, line 9, by striking out before the word "sum" the word "penal"; Amend Section 4, page 4, line 23, by striking out after the word "the" and before the word "sum", the word "penal"; Amend Section 4, page 4, line 26, by inserting after the word "payable" and before the word "Contemporaneous", the following: Provided however That where securities deposited as aforesaid mature or are called the State Treasurer at the request of the operator shall convert such securities into other acceptable securities designated by the operator; Amend Section 8, page 6, line 11, by striking out after the word "of" and before the word "per", the following: one hundred dollars ($100.00), and inserting in lieu thereof, the following: two hundred dollars ($200.00); Amend Section 10, page 7, line 1, by striking out after the word "least" and before the word "above", the following: one foot, and inserting in lieu thereof, the following: three feet; Amend Section 10, page 7, line 3, by striking out all of line 3, and inserting in lieu thereof, the following: at an angle not to exceed; Amend Section 10, page 7, line 4, by inserting after the word "degrees" and before the word "Provided", the following: except high walls where strip mining cuts into active worked out or abandoned deep mine workings in which case the angle shall not exceed forty-five (45) degrees from the top of such wall to the bottom thereof and the peaks and ridges of spoilbanks shall be leveled and rounded off to such an extent as will permit the planting of trees grasses or shrubs and rejected coal and combustive material shall not be used on the high wall bank; Amend Section 11, page 7, line 15, by striking out after the word "Within" and before the word "after", the following: three years, and inserting in lieu thereof, the following: one year; Amend Section 11, page 7, line 18, by inserting after the word "mining" and before the word "if", the following: when deemed necessary the secretary may extend the period for planting trees shrubs or grasses beyond the limitations of the period of time provided in this act and; Amend Section 12, page 8, line 18, by striking out after the word "release", the following: If the owner of the land desires its use for other; Amend Section 12, page 8, by striking out all of lines 19 to 29, inclusive; Amend Section 15, page 11, line 10, by striking out after the word "Fund", the following: money in said fund to be spent at the; Amend Section 15, page 11, by striking out all of lines 11 and 12, and inserting in lieu thereof, the following: Any operator aggrieved by reason of forfeiting the bond or selling securities as herein provided shall have a right to contest such action and appeal as provided in section fourteen of this act; Amend Section 18, page 12, line 11, by inserting after the word "located", the following: and the money in said fund to be spent at the discretion of the Secretary of Forests and Waters for back-filling or planting; Amend Section 20, page 13, lines 14 and 15, by striking out after the word "effective" on line 14, the following: six (6) months after final enactment, and inserting in lieu thereof, the following: immediately upon its final enactment provided however that any person who is in business when the act shall become effective shall have ninety (90) days to file his plans specifications and bond.

On the question,

Will the Senate concur in the same?

Mr. WILSON. Mr. President, if I may have order for just about one minute I want to make my position clear on this bill.

For reasons which I believe I have at least distinctly enunciated formerly at this session on this proposition, I am going to refrain from voting on this bill, so I ask those who keep the record to show that the Senator from the 37th District is present and is not voting because he is personally affected to such an extent by the provisions of this measure. As I said before, my reasons have been stated fully and completely, and therefore I state here that I am refraining from voting.

It is with deep regret that the people who have had these matters in charge did not visit the fourth inspectoral district and take into consideration the facts and the figures and the number of people who are engaged in business, and the names of whom I have placed upon the record, giving their names and tonnage, and take into consideration that which affects them and how it affects differently the acreage in all of the up-state, beginning with perhaps Indiana and Jefferson and the rest of those counties further north.

It is not my purpose at this time to take up the time of the Senate or to take a position that would be unpopular and therefore with that I shall stop, but I want to call attention to the fact that the Senators present and others concerned known full well how I feel upon this proposition. Not only do they know full well about how I feel on this proposition, but they know how it will affect production in the particular districts which I have mentioned. I want to thank you.

And the question recurring,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Woodring,
Crider,	Jaspan,	Scarlett,	Woodward,
Crowe,	Jones,	Snowden,	Tallman,
Dent,	Kephart,	Stevenson,	Presiding Officer
DiSilvestro,			

NAYS—0

PRESENT—1

Wilson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 528, RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table House Bill No. 528, recalled from the Governor, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers: providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329).

The Clerk read the amendments as follows:

Amend the title, page 1, line 1 of the title, by striking out after the word "To" and before the word "subsection" the word "repeal" and insert in lieu thereof the words "further amend"; Amend the title, page 2, lines 9, 10, 11 and 12 of the title, by striking out after the word "refunds", the following: as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329), and inserting in lieu thereof, the following: by further regulating the transportation of loads in excess of seating capacity of motor vehicles for the carriage of passengers for hire; Amend Section 1, page 3, line 13, by striking out after the word "hereby", the word "repealed", and insert in lieu thereof, the following: further amended to read as follows; Amend Section 2, page 3, by striking out all of lines 14 and 15, and inserting in lieu thereof, the following: Section 902 Size of Vehicles and Loads

* * * * *

(f) It shall be unlawful for any person to transport on a motor vehicle trailer or semi-trailer operated for the carriage of passengers for hire a load of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than [ten] thirty-five consecutive miles; Amend Section 3, page 3, line 16, by striking out after the word "Section" and before the word "This", the figure "3" and inserting in lieu thereof the figure "2".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERSONAL PRIVILEGE

Mr. WILSON. Mr. President, I rise on a matter of personal privilege.

The PRESIDING OFFICER. The gentleman from Jefferson will proceed.

Mr. WILSON. Mr. President, I merely wish to take a very few minutes of your time, in the last hours of this session, to tell you something of what it means to live and what it means to be present at a goodly number of sessions of the Legislature, feeling that the things I have seen and the things I have learned should at least be said to those who are associated with me, with the hope that something may move out from them to the public so that the public may have a little better understanding of what is done and how it is done.

As you all know, I have been familiar with the doings of the Legislature since 1899, not always as a member, but all during that time I have been here during the sessions almost continuously. Beginning as a member in 1899 the impressions that were made on me I found were very often incorrectly formed because I did not know how things were done, and I did not known why they were done, and I did not know that the general public did not have sufficient knowledge of the importance of what was being done.

I remember when the Constitution was adopted. One of the main reasons fir having the present Constitution was to do away with so much legislation. Those of you who are present to vote now should look up the laws as they were passed in the sixties and in the beginning of the seventies and until the Constitution went into effect, because you have missed something, as nearly everything would be pertaining to local affairs. The Constitution did a great deal. There were a lot of provisions that made it easy and we had general laws in the State of Pennsylvania and a number of things like that.

Going on from session to session, and having served in the keeping of the Journal of the Senate as early as 1907, and having in many ways taken part in writing and reading certain measures, and making suggestions here and there, because of peculiar circumstance, I feel I should say these words to you.

Beginning with January of this year, this present session has been a session that has had so many difficulties that we have not been able to keep track of what has been done or to pay attention to what has been brought to our notice and given to us to work upon.

Remember, if you are a member of the Senate or a member of the House, you have had to come since the first of January every week to Harrisburg, except the second week, and those of us who live up-state and had a great distance to go had to come under great difficulties. I wish to boast that I have driven my car about 180 miles every one of the weeks, except that second week that we did not have a session, and I wish to boast that I have not missed a session, and I wish to boast that I have not dodged an issue, and I wish to boast that when I made a statment to you I honestly believed I was telling the truth. That is the reason I told you the truth on the stripping bill and that is the reason behind the scenes. I told you the truth about the teachers' bill, the last one of all the groups that came here, and I told you about it, and behind the scenes I told you something about the state teachers' colleges and what part the teachers play in our great state and how we have to reach out in the country to get country teachers, and the many things that we learn by living in the country.

I feel that surely a man is justified and excused in saying now something about the country people. The country people produce the teachers who teach in the country, and they produce the simple things in the line of industry, and they produce the simple things for all of the affairs of life, and you can only wonder how they get along under such conditions.

This is one statement I want to make: all during these years, and up to the present, I have gradually come to the conclusion that we endeavor to do too much and more and more we are slipping a little, getting back to conditions as they were during the sixties, to over-legislate. Do you know it is impossible for us even to read intelligently the propositions, the propositions are so many? 1288 House bills have been introduced at this session, 62 resolutions, 780 Senate bills, 58 Senate resolutions. Whenever a bill in the past did not suit somebody and got into law, that somebody got busy and came to Harrisburg, or got someone else to come to Harrisburg, and had the bill re-written or amended or fixed in some way different from what it was before. Those who make drafts of our laws are called upon to keep busy all the time to comply, if their constitution permits them to do so.

Just stop and think. No Senator, no member, no person anywhere could read these large laws, and digest them, and so you have got to get people to help you, hours upon hours in caucus, and hours upon hours in offices, if you do the things that the oath of your office requires you to do, you study these bills, and then you come here and find under certain circumstances it is not right to take up the time of the Senate or the House to tell those who are associated with you what it is about.

Now I have a suggestion. I have a suggestion that the public should refrain from asking the Senators or members to do anything unless it is absolutely necessary. And I ask the Senators and the members that when a proposition comes before them and it makes an impression and they feel it should be done, to digest as thoroughly as they can what it is. When they father and sponsor a bill, and when they rise on the floor of this Senate and say "I do not know, this is introduced by request," you can see what I am trying to drive at.

I only suggested about two or three bills and I want to tell you what they are. I have only suggested one since I have been a member of the Local Government Commission and that I found out about after fifty years of experience. I did not tell anybody what to do, but I made the suggestion that the tax collector's bill ought to be studied and changed because they are all under different laws, each tax collector is under a different law; he must have a different kind of a bond, with different conditions. Those things I merely suggested. I did not tell anybody how they should vote. We worked on it for months and months. The reason I requested that, there were different reasons given for it, and people in my own district wondered why these things have been suggested, only suggested, because the duty of my office required me to do so.

Do you see what I am trying to tell you? The general public does not know how we vote. The general public does not understand that some of us believe that we have overdone it, and in union there is strength, and the various people should have unions—and I do not mean unions from the labor standpoint, I mean unions of people who are doing certain things in life. Of course, we must expect them, but once you have those things everybody who tries to get some action with them should be very sure that it is fair with regard to other people, with regards to the rights of other people.

I want to pay a compliment to the Senators, and I am sure I could do the same thing in the House if I was on the floor of the House because I know many of them intimately, and I want to say that the Senators have been open and frank behind the scenes. The Senators have argued this, that and the other, and they have sat and listened to every argument that was presented to them, and some of them were tired, and yet they had to do the things that were necessary to do, when really safety of health, life, and happiness would have required them to do something else. Some people say "Oh, what an easy job they have." Well, when you consider what we have to do and the manner in which it is done, it is not an easy job at all. I am making this suggestion with the hope that the public will look over the thought and see if it is possible not to make so many requests.

Secondly, I wish when they do make an argument, that they give the argument clearly and distinctly to the other members or the Senators, and I wish the Senators would not carry so many bills around and be the one to introduce a bill and say "well, it was handed to me to introduce, but I do not understand it." I want you to know that is not intended as an insult. It is intended to get less legislation and better legislation. Whenever you give anything to the public the whole story should be told, not only just some good things, but what the argument is on the other side.

It is not often that I take up the time of the Senate, and the only reason I do it now is because I feel this is

the time to do it. Our session is done, and the work you have done faithfully and diligently, but you have been required to scatter your efforts too much, and you will be criticized for some of the things that you are doing. In the last two or three weeks of each session the affairs are crowded and they go too rapidly and you are under a tension, the Senators are under a tension, and the members of the House are under a tension, and one of the main reasons is just the same as it was in the Civil War. One of the main reasons is because of the way the sons and daughters of close friends, by the hundreds and perhaps thousands, are across the way taking part.

I do feel really and truly, if you would take a different approach to legislation and make it possible for laws to be written so that it will not be necessary to rewrite them before they can be printed, that it would be better for all of us. I hope you will take it in the spirit in which I have uttered it.

I want to compliment you, from the Governor down, I want to compliment you, regardless of party, because some of the nicest things about these thoughts have come to me from the other side, and that is the truth, but I want to say that I am a Republican first, last and all the time, but I think we ought to work together, and we ought to work for the common good, and we ought to work together congenially and we ought to work together carefully and faithfully.

To every one present, I greet you and I hope that you may live to be old and take an interest in these affairs and report here often, as you do, and carry on with a grand spirit, the American spirit if you please, the same as you did in the past. I want to thank you for your very nice attention, and I want to thank you for giving me this opportunity, and I request that you take it in the spirit in which I have uttered it. I thank you.

HOUSE RESOLUTION No. 62 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table House Resolution No. 62.

The resolution was twice read as follows:

COMMITTEE TO INVESTIGATE LAWS, ETC., PERTAINING TO DEPARTMENT, HIGHWAYS

In the House of Representatives, April 30, 1945.

Be It Resolved (if the Senate Concurs), That there is hereby created a special committee to consist of five members of the House of Representatives to be appointed by the Speaker of the House, and five Senators to be appointed by the President Pro Tempore of the Senate the duty and authority of which committee shall be to make upon the part of the General Assembly a careful, thorough and impartial study and examination of

(1) the various laws and statutes of the Commonwealth pertaining or relating to the jurisdiction, duties and powers of the Department of Highways its officers employees, and personnel, and

(2) the various laws and statutes of the Commonwealth pertaining or relating to the construction, maintenance and supervision of highways and bridges in the Commonwealth, and

(3) the regulations, practices, records and activities of the Department of Highways of the Commonwealth in relation to the administration of the duties and powers vested in such department, as well as in connection with the construction, maintenance and supervision of highways and bridges.

The committee is hereby authorized and directed to take testimony of such witnesses and to examine such papers and records as the committee may deem necessary to effectuate its study and examination.

This committee shall have the power to sit and continue its studies and investigations after the adjournment of this current session of the General Assembly.

During the interim between the current and the next regular session of the General Assembly this committee may from time to time report to the Governor of the Commonwealth their findings and recommendations, and such committee shall report to the General Assembly at its next regular session, its findings and its recommendations as to such changes, revisions or improvements as it may find to be necessary or desirable to correct any imperfections, insufficiencies and defects in the law and statutes or to correct any abuses and evils in the administration of the affairs of the said Department of Highways.

The committee shall have the right and authority to request any person or persons to appear before them and to answer any questions touching on matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary.

The Secretary of Highways and his Department are hereby requested to furnish unto said committee such information and such assistance as the committee may require and request and the Secretary of Highways is requested to authorize and direct the appearance before said committee of such persons officers officials or employes of the Department as the committee may designate and request.

HOUSE RESOLUTION No. 62 ADOPTED

Mr. HEYBURN. Mr. President, I ask unanimous consent that rule 39, which requires resolutions to be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

The PRESIDENT PRO TEMPORE. At this time I would like to call to the Chair the Senator from Cumberland, Mr. Wade.

The PRESIDING OFFICER (George N. Wade) in the Chair.

PRESENTATIONS

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Erie, Mr. Blass.

Mr. BLASS. Mr. President, members of the Senate, and visitors, it has been very often truthfully said that friendship is one of the most cherished treasures of mankind and is worth more than wealth and the resources that most of us often seek to attain. In my opinion the wealth of an individual is not measured by the money or the personal effects or the worldly things that he acquires, but it is measured by the number of friendships that he has formed and which he has been able to carry through enduring life.

It has been indeed a pleasure to be with you, and as the session is about ready to end it will be with some regret at this time that I will wend my way back to the shores of Lake Erie, but I can truthfully assure you that I will miss the joy and exhilaration that has met me every morning when I gazed into the familiar faces in the chamber of this august tribunal. I will miss the sound of the gavel on the rostrum; I will miss the earnestness of both the Majority and the Minority Leaders; I will miss the serious demeanor of the Chairman of the Republican Caucus, and I will above all miss all my friends on both sides of this chamber. There is not a one among you that I do not count as a friend.

Among my friends in this chamber there is one man who stands out above all others, more in a paternal light to me, and that is our worthy and our distinguished President pro tempore, my friend M. Harvey Taylor. I believe that he is held in the highest honor and esteem by every member and every Senator in this chamber, and worthily so. We all know the tremendous effort and labor that he has given for the benefit and the interest of our great Republican Party, for which we never will have any apology to offer. He has carefully, efficiently and excellently performed the duties of his office as President pro tempore. He has been very careful and courteous and fatherly to all our young Senators, and, God bless him, we needed assistance very many times, but he has been able to steer us in the right direction.

But, Harvey, the success and the attainments that you have made and secured are not due entirely to your own efforts. There is another person that is largely and primarily responsible for your success. That is your life partner, the one who is nearest and dearest to your heart and, as in the case of every one of us, the influence of a good woman is always reflected in the deeds of mankind. We can only go so far as that influence will permit us and everything that we attain and everything that we secure has that influence, that benign protection, behind it.

Therefore, Mr. President pro tempore and my friend, I have the great honor and the privilege, on behalf of the Republican Senators of this assemblage, your colleagues and mine, as a token of their affectionate regard for you, to present to you this beautiful ring, bought for the use and benefit of the party primarily responsible, who has been your guiding star, Mrs. Taylor, who will shape your destiny through the years to come.

The PRESIDING OFFICER. The Chair is glad to recognize Senator Taylor.

Mr. TAYLOR. Gentlemen, I want to look at this first. I will explain that this is a ring for Mrs. Taylor, and I want to say to you if she were here she would be much more embarrassed than I—she is much more modest than I am.

All I can say is God bless you and thank you.

The PRESIDING OFFICER. The Chair now recognizes the distinguished gentleman from Northumberland, Senator Troutman.

Mr. TROUTMAN. Mr. President and members of the Senate, in the closing hours of this, my first session, I am simply amazed at all of the bills that find their way into the various committees and all the legislation that is adopted in both Houses of this Assembly. When you consider that over twelve hundred bills have been fathered in the House and about eight hundred in the Senate, you can have an idea of the maze of legislation which must be passed upon in this Assembly. In that great maze of legislation, covering all subjects that man can devise and invent, it is necesary that we have superb leadership. There is a particular responsibility devolving upon the majority to engineer a program through, to see that legislation is adopted and their party platform adopted, and in that leadership we members of the majority side have found a man who has exhibited a patience the like of which I have never seen. From early in the morning till late at night we can approach our Majority Floor Leader with all sorts of questions, and never once does he turn us aside, but he tries to find the proper and correct answer. On the floor of this Senate he has displayed those qualities of leadership and direction which have brought about a comparatively short session of this Generel Assembly.

To you, Senator Heyburn, tonight we members of the Republican side wish to express our gratitude for your fine superb leadership. You know, sometimes you are referred to as a farmer, and I think you can be justifiably proud of that vocation, and with one foot in the furrow and you yourself behind the plow, and looking straight ahead, I know there can be nothing ahead but success.

Of course, we members of the Republican side have taken into consideration the fact that we have kept you here for long hours in the discharge of your duties, and we know that in the months to come your good wife and partner will insist that you get back into her good graces, and in order to help you we have selected a gift, not to be used by you personally but by her, and with it goes our esteem and affection for a real, courageous Majority Floor Leader.

Mr. HEYBURN. These fellows must have been buying rings wholesale.

Mr. President, Senator Troutman and my colleagues, I am very grateful for this presentation here tonight. At last I have something to show the people down in Concordville, to prove to them I have been able to acquire something in the Senate of Pennsylvania.

There is no doubt I have been away from home a lot, and I just do not know how things are back home right at this time, but I am telling you when I get back with this gift everything is going to be fine.

I am very grateful to you folks for that, too, because

when I get home—I do not know whether the plowing has been done or not—but now it is about time to plant corn, and I will not have any time to try to get a woman pacified.

I am very grateful to you and I will remember this occasion as long as I see this ring on my wife's hand.

I want you to know, rather than you fellows giving me a present, I ought to be giving you one, because there never was a leader of any party in any legislative body in the world who had finer support than I have had now for quite a long time. It is a real pleasure and a distinct honor to be the Majority Leader of such a fine bunch of fellows and, while I am talking to Republicans, I want to say that my friends to the left have been very considerate and very kind to me, and if I have to have opponents, I do not know a nicer bunch of fellows than my friends on the left. I want you to know you have made a real contribution to food production this year. I will get back home next week and get the farm in shape and I am sure I am going to be a pretty popular fellow for at least four or five weeks. Thank you very much.

The PRESIDING OFFICER. The Chair now recognizes the gentleman from Lackawanna, Senator Coleman.

Mr. COLEMAN. Mr. President and members of the Senate, the Democratic Minority no less appreciates the splendid job done by the gentleman from Westmoreland in ably handling the Minority Party's position in the session now drawing to a close. We call him Johnny, not out of any undue familiarity but rather out of a spirit of endearment—we like the fellow.

At the age of sixteen Johnny Dent joined the United States Marines, spent four years in the service of that great fighting organization, and on his return entered politics. The former Marine immediately established a beachhead on the Republican front in Westmoreland county and had the situation well in hand.

Anyone who assumes a position of leadership must perpetually live in the white light of publicity. Whether leadership is vested in a manufactured article or in an individual, envy and jealously are ever at work. But that was not true with respect to our Minority Leader. Everybody was delighted to work with him and to help him do the grand job he did in this particular session.

On the minority side we have eighteen individuals representing various racial groups, each with a separate and distinct personality, each with his various characteristics and mannerisms, each one making his contribution to the democratic side, sometimes gay, irrepressible, and sometimes moody and melancholic, and it took a dynamic personality like Senator Dent to weld this group into a powerful, militant and well organized minority in this session of the Legislature. We are proud of Johnny Dent.

One thing that will always stand out in my recollection, Mr. President, is the night we were considering the unemployment compensation and the workmen's compensation bills. Senator Dent stood on the floor of the Senate of Pennsylvania, presenting the Minority Party's position with vigor and determination, notwithstanding the fact that there was in his heart an inexpressible sorrow because of the passing of a brother, a brother who spent many years in vaudeville, a great performer and a great trouper. Johnny Dent carried on in the true tradition of the theater, that the show must go on, and a week later, when he returned to the Senate of Pennsylvania, he was only in this chamber ten minutes before his voice was once again raised in defense of the Minority Party's position.

We are proud of him. He is a great fellow, an excellent story-teller and a great personality. We hope that the job he has done here may merit recognition from the leadership of the party in the state. Johnny Dent's Meteoric rise in public life in the Commonwealth of Pennsylvania is a dramatic illustration of the possibilities of American young-manhood, imbued with a firm determination to make good.

In behalf of the Minority, who feel he has done a great job for us—we like and admire him tremendously—it is my privilege to present to him a traveling bag, and to his very devoted wife, who has been a great partner of his and who has helped him up the political ladder, the same sort of a gift, carrying with it the best wishes, I know, not only of the minority but also of the majority members of the Senate of Pennsylvania.

Mr. DENT. Mr. President and members of the Senate, there seems to be a double significance to the wonderful gift that just has been presented to me. When I first started out in public life, every time they had a little banquet or something and wanted to present me with some gift, they always gave me a watch, and I sort of figured it was a gentle hint that I should watch the time and not talk so darned long, and now it seems that maybe I have been here too long and they are giving me a bag so that I can travel and keep going. However, they have been very careful in that they want me to keep traveling with the greatest traveling companion a fellow ever had —my wife.

You know, standing up here and hearing a lot of things said about you that are so nice, you are reminded of a story and, if I may, I shall inject a little story into the situation, the story of the Irishman that died; he had not been too good to his family, and as he was laid out in his coffin, in the church, the priest in the usual manner forgot all the bad deeds he had performed and was heaping upon him great praise, and in his eulogy he said "here we have before us tonight the remains of Casey, one of the great parisioners of this church, a man who always stood for all that is good in the community and one who has been an excellent father and a wonderful, dutiful husband" and the widow, who was sitting in the first pew, nudged her oldest son and said "Patty, you had better sneak a look; I do not think that is your father he is talking about."

That is the way I feel here. I do say this though, never has a man had the privilege of serving with a grander group of boys than I have on my side; never has a person had a greater loyalty than that which has been exemplified by their strict adherence to duty here.

I will say this without fear of contradiction, the boys on the Democratic side of the Senate have worked as a unit, working at all times for that goal they were trying to achieve, each by his own methods, which reminds me of another story. This is the story of two missionaries who came back home after spending twenty some years in one of the pagan countries and, as they left on the same boat, they were both standing near the stern, and as the

shore line receded the one missionary turned to the other and he said "after all these years here, do you not feel a little sorrowful about leaving, although there ought to be joy in our hearts because we have taught the word of God," and the other missionary said "yes, we ought to feel good, we have tried to teach the word, you in your way and me in His."

That is the way some of us feel about legislation. We oftentimes get into fights but we all recognize one thing, each man here, I believe, votes as his conscience dictates; I believe that each one of us tries to do his job as best he can.

I want to say to Majority Leader Weldon Heyburn that it has been a pleasure to work with him. He is that type of man that does not get excited too quickly, the perfect type of man that has smoothed over a lot of ruffled feelings at times.

I have a great deal of personal regard for Weldon, and maybe that dates back to the days when he and I sat together and we voted together and we sort of understood each other, and that understanding has carried on through the years, and it has been my expressed wish many times that sooner or later Weldon will come back over here and we can vote together, as I know that we often think together. Thank you.

The PRESIDING OFFICER. The Chair now recognizes the gentleman from Potter, Senator Berger.

Mr. BERGER. Mr. President and members of the Senate, there is no more pleasant duty that could have been assigned to me by my Republican colleagues in this body than the one which now I am about to discharge.

During this session I have formed a high regard for every member of this body, but for no one have I formed a higher regard than the man whom the Republican Caucus seeks to honor here tonight.

Prior to the commencement of this session the Republican members met and elected a chairman to preside over their—I might say deliberations, I might say bickerings—but as this session draws to a close, to its final hours, I know there is not a member of that Republican Caucus who would say we made the slightest mistake in our selection. No one could have wielded the gavel with more fairness, more firmness or more finesse than Senator Tallman, Chairman of the Republican Caucus, and so, as a token of the appreciation of the members of that Caucus, we desire tonight to present to him a gift that will serve not only to remind him of the esteem in which his colleagues hold him, but will serve to remind him of the part which the gracious lady who is Mrs. Tallman has played in the success of his career.

Senator Tallman, it is a great pleasure for me, on behalf of your Republican colleagues in the caucus, to make this presentation.

Mr. TALLMAN. Mr. President and members of the Senate, I first want to say Mrs. Tallman is doing quite well in the Senate. I remember that two years ago my colleagues on this side of the Senate very graciously honored me with a token of their esteem and Mrs. Tallman was the beneficiary of that token, and I am very happy indeed to receive this in her behalf.

Certainly I want to say I am very very greatly appreciative that the members of the Republican Caucus should honor me with any token at all, because I am satisfied that there is not a man who comes to this Senate, whichever party he may represent, who leaves here without a new understanding of his fellowmen, without new regard for other people's ideas, and without deep appreciation for the friendly and fine relationships which develop in a man's service in this Senate.

I feel I should say to my colleagues on this side that I appreciate very much this gift, because I know it carries with it from them to me a warmth and an affection that few men have the opportunity to gain in their lifetime. I also want to take this opportunity to say that I have much appreciated the opportunity to serve with the gentleman on the other side, and there have been fine and warm friendships that have grown from it.

To all the members of this Senate, and more particularly those of them who have honored me with this gift, I say to them there moves from me warm wishes, good wishes, and the hope always that they will be successful and happy.

The PRESIDING OFFICER. The Chair wishes to add his compliments and congratulations to those gentlemen who have been remembered, and to say to them if these peace offerings provided by the love and affection of their comrades are not sufficient, we will do our best to provide a dove of peace.

OATH OF OFFICE ADMINISTERED TO PRESIDENT PRO TEMPORE

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the order of business of swearing in the newly elected President pro tempore for the interim.

Mr. JAMES. I second the motion, Mr. President.

The motion was agreed to.

Whereupon the oath of office was administered to M. Harvey Taylor as President pro tempore for the interim by Judge J. Paul Rupp of the Court of Common Pleas of Dauphin County.

THANKS OF SENATE EXTENDED TO JUDGE RUPP

Mr. WALKER. Mr. President, I move that the thanks of the Senate of Pennsylvania be extended to his Honor, Judge Rupp, of the Court of Common Pleas of Dauphin County, for coming here this evening and swearing in our newly elected President pro tempore of the Senate of Pennsylvania.

The PRESIDING OFFICER. The thanks of the Senate will be noted.

The PRESIDING OFFICER. The Chair now invites to the rostrum the newly elected President pro tempore.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

The PRESIDENT PRO TEMPORE. At this time I would like to call to the rostrum the Senator from Lehigh, Mr. Tallman.

The PRESIDING OFFICER (O. J. Tallman) in the Chair.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1001

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 5, 1945.

Resolved (if the Senate concurs), That House Bill No. 1001, Printer's No. 432, entitled:

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administration Code of 1929," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

be recalled from the Governor for further consideration and amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 68

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 68, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and recreational areas and the development thereof, for reforestation, for the work of the department with respect to forests and forest land; for stream channel improvement and other stream clearance of any type, and for encouragement of proper forest practices by private land owners.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 138

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 138, entitled:

An Act authorizing the establishment, construction and maintenance of limited access highways and local service highways, and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor, providing for sharing the costs involved, and for the control of traffic thereover, providing penalties and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 337

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 633

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of money through no fault of his own.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1002 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; auhorizing cooperation with other departments and agencies and reciprocal agreements with other States; requiring cooperation with the Federal Government, making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation; and prescribing penalties

and has appointed Messrs. SORG, WATKINS and POLEN as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1002

The PRESIDING OFFICER. The Chair announces that the President pro tempore appoints Messrs. HOMSHER, WAGNER and BARR as a committee of conference on the part of the Senate to confer with a similar commitee of the House (previously appointed) to consider the differences existing between the two houses in relation to House Bill No. 1002.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION TO ADJOURN SINE DIE

He also presented extract from the Journal of the House, which was twice read as follows, and laid on the table:

In the House of Representatives, May 5, 1945.

Resolved (if the Senate concurs), That this 136th regular Session of the General Assembly adjourn sine die Saturday, May 5, 1945, at 11:30 p. m., o'clock.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. GELTZ. Mr. President, I second the motion,

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

HOUSE BILL No 411 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 411, on page 6 of the calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 411, as follows:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the "State Highway Law"

Section 102 Definitions When used in this act the following words and phrases shall have the following meanings

(1) "State highway" shall mean and include all roads and highways taken over by the Commonwealth as State highways under the provisions of any act of Assembly Unless clearly so intended the term shall not include any street in any city borough or incorporated town even though the same may have been taken over as a State highway

(2) "Rural State highway system" shall mean and include all roads and highways taken over by the Commonwealth as State highways under the provisions of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) Act No 203 entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its supplements and amendments and all other roads and highways specifically designated as rural State highways

(3) "Department" shall mean the Department of Highways of the Commonwealth

(4) "Secretary" shall mean the Secretary of Highways of the Commonwealth

Section 103 Excluded Provisions This act does not include any provisions of and shall not be construed to repeal

(1) "The Administrative Code of 1929" approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177)

(2) "The Vehicle Code" approved the first day of May one thousand nine hundred twenty-nine (P. L. 905)

(3) "The Tractor Code" approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005)

(4) Any law administered by the Pennsylvania Turnpike Commission

(5) The act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as last amended "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county"

(6) The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 386) entitled "An act providing for the establishment construction operation and mainteance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the "Rim Parkway" providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways authorizing the issuance of parkway revenue refunding bonds and making an appropriation"

(7) Any law or part of a law adopting any road highway or street as a State highway

(8) Any law relating to interstate bridges

(9) Any law relating to flood control

(10) Any amendment or supplement of any of the laws referred to in this section

Section 104 Saving Clause The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed

Article II

Designation and Location of State Highways

Section 201 Present State Highways to Continue Until Changed All roads streets and highways adopted and taken over as State highways and remaining as such on the effective date of this act shall continue to be State highways as now constituted until changed pursuant to the provisions of this act or by subsequent act of Assembly

Section 202 Parts of highways not Included in Designation of State highways Where the boundary line of any city borough or incorporated town traverses longitudinally the legal limits of a highway and a portion only of such highway situate either outside of or within the municipality has been or may hereafter be established as a State highway the portion of the highway which the act fails to include because of the presence of the boundary line whether such portion may be outside of or within the corporate limits of the city borough or incorporated town is hereby established as or shall hereafter automatically become a State highway and shall be constructed and maintained by the department in accordance with the provisions of this act governing State highways in cities or boroughs or in townships as the case may be

Section 203 Maps etc of State Highways The Department shall have authority to prepare and keep among its records such maps plans data and information as shall be deemed necessary by the secretary Copies thereof may be furnished to the public in such manner and for such cost not exceeding the cost of preparation as may be determined by the secretary

Section 204 Lettering Naming or Numbering State Highway Routes The secretary is hereby authorized to designate by letter or to name or number State highways or any part or parts thereof or any combinations of such highways or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the department

Whenever the secretary designates any route by common letter name or number for the convenience of the traveling public he may in his discretion include therein any public road or part thereof except city borough or town streets Nothing herein contained shall authorize the secretary to construct maintain or repair any such road or part thereof as a part of the State highway system

Section 205 Entry on Lands to Make Surveys Damages Penalty The department shall have the power to enter upon any lands or enclosures for the purpose of making surveys to assist the department in determining whether any State highway should be relocated widened or improved and all surveys in connection with the actual relocation widening or improvement of any State highway Any entry made by any duly authorized employes of the

department for any such purpose shall not be deemed a trespass under existing law

Any damages sustained by the owner or owners of land entered upon by the department for the purpose herein provided shall be determined and paid in the manner provided by law for the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department

Any person interfering with or obstructing the exercise of the authority herein conferred shall on summary conviction thereof be sentenced to pay a penalty for every such offense of not less than five dollars nor more than twenty dollars All penalties imposed under this section shall be transmitted to the State Treasury of the Commonwealth and shall be credited to the Motor License Fund The penalty herein provided shall be in addition to and not in lieu of any penalties imposed by existing law

Section 206 Ultimate Widths and Lines Establishment Recording The secretary shall have power with the approval of the Governor to establish the ultimate width and lines of any State highway for future construction before or after the construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads The establishment of such ultimate width and lines for future construction shall be by a plan showing the center line of said highway and the established ultimate width thereof for future construction bearing the acknowledgment of the secretary Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in a separate book kept for such purpose which shall be furnished to the recorder of deeds by the county commissioners at the expense of the county All costs of the recording shall be paid by the county

Section 207 Change of Plans for Ultimate Width The secretary shall have power with the approval of the Governor to change any plan establishing the ultimate width and lines of any State highway by reducing the width of such State highway or section thereof established as hereinbefore provided by causing a new plan thereof to be made showing the center line of said highway and the new established width thereof and shall attach thereto his acknowledgment When any such change has been made such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county as hereinbefore provided and a notation shall be made on the prior plan that the same has been replaced by a later plan

Section 208 Limitations on Damages for Taking No person shall be entitled to recover any damages for any buildings or improvements of any kind which shall or may be placed or constructed upon or within the ultimate width and lines of any State highway after the same shall have been established for future construction and recorded as aforesaid

No person shall be entitled to damages by reason of such establishment of the ultimate width and lines of a State highway for future construction and where the Commonwealth by its proper authorities has improved or constructed or shall hereafter improve or construct such State highway and in so doing has taken or shall take a part only of the lands lying within the lines shown by such plan damages shall be allowed for and to the extent of such actual taking only Such taking shall be deemed to occur only when right of way plans or construction drawings prepared by the department showing thereon the right of way required for highway purposes and for slopes shall have been approved by the secretary and the Governor and filed as a public record in the office of the department

Section 209 Relocation without Limitation on Account of Terminal Points When the terminal point of one or more State highway routes is described as being at the boundary line of a county township municipality or adjoining state and the highway continues beyond such point the secretary shall have authority to relocate such State highway route or routes without limitation on account of such terminal point except that the new point of crossing of such line shall be properly referenced and shown on the plan by which the relocation is made When the terminal point of a State highway route is described as being on another highway the secretary shall have authority to relocate such highway route without limitation on account of such terminal point except that the new terminal point shall be on such other highway When two separate State highway routes with one common terminal point form a continuous highway the secretary shall have authority to relocate such State highway routes without limitation on account of such terminal point except that both the old and the new terminal points shall be shown on the plan by which the relocation is made

Section 210 Relocation etc Abandonment as State Highway Vacation The secretary is hereby empowered to change alter or establish the width lines location or grades of any State highway or any intersecting road in such manner as in his discretion may seem best in order to correct danger or inconvenience to the traveling public or lessen the cost to the Commonwealth in the construction reconstruction or maintenance thereof After the relocation has been opened to traffic the secretary by notice to the local authorities shall abandon as a State highway route or vacate the section of highway between the termini of the relocation Where the new route in the judgment of the secretary supplies and takes the place of any part of the old highway and such part is of a length of not more than two miles the secretary being of the opinion that such part is unnecessary for public use and travel or burdensome or dangerous and having due regard for the convenience of access to the new highway by the owners of property abutting on such part may at any time by written order declare such part to be vacated Thereafter the part so vacated shall be closed to public use and travel and shall no longer be a public road Before any change or order of vacation is made the secretary shall first submit a plan of the proposed change and any proposed order of vacation to the Governor and the same shall be approved by him and filed as a public record in the office of the department The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway purposes from all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes

Section 211 Use of Abandoned Canals and Railroad or Railway Rights of Way for Relocation of State Highways Whenever any abandoned canal or part thereof is no longer used for the purpose for which it was intended and is not used or occupied by a railroad or railway in actual operation or whenever any right of way of a railroad or railway has been abandoned or has not been used occupied or built upon for a period of two years or more and such canal or right of way extends in the same general direction in which a State highway is projected the secretary may take over any such canal or part thereof or any such railroad or railway right of way for the purpose of relocating such State highway and if a price therefor to be approved by the Governor can be agreed upon acquire the same or as much thereof as is needed in the name of the Commonwealth from the owners thereof If no such price can be agreed upon the canal or right of way or as much thereof as is needed shall be acquired by eminent domain under the procedure prescribed in Article three of this act

Section 212 Acquisition and Disposal of Certain Canals and Artificial Waterways The department may acquire by gift all or any part of the lands occupied by any canal or other artificial waterway constructed by the Commonwealth as a part of its public works and heretofore ac-

quired directly or indirectly by any canal corporation organized and existing under the laws of this Commonwealth The department may thereafter sell or otherwise dispose of any portion of such lands not actually necessary for highway purposes upon such terms and conditions as the Governor may approve and deposit the proceeds in the Motor License Fund

Section 213 Acceptance of Canal Property Acquired by Department of Forests and Waters The secretary may in his discretion accept for the purposes of location relocation construction or reconstruction and maintenance and repair of highways and purposes incidental thereto any canal property acquired by the Secretary of Forests and Waters and by him transferred to the department Upon such transfer the Department of Forests and Waters shall be relieved of all control over or responsibility for such property

Section 214 Maintenance of Parts of Roads Abandoned as State Highways Vacation when not of Full Width Where any section of a State highway route shall be or has been relocated the portion of the public road or highway thus abandoned as a State highway route shall be maintained by and at the expense of the township borough incorporated town or city wherein it is located but the department shall in each case before abandoning such portion of public road or highway improve and repair the same so that it shall be in first class condition when it is taken over by the township borough incorporated town or city

Where the width lines or location of a State highway shall be or have been changed altered or established according to law in a manner which does not create an entirely new highway the section or sections or portions of the right of way of the highway as previously established which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established

Section 215 Power of Courts to Vacate Parts of Certain State Highways The courts of quarter sessions shall have power to inquire of and vacate any part or parts of any former State road or turnpike road which has been adopted as a State highway where such part or parts thereof due to the change or relocation of the State highway no longer form a part of such State highway Such vacation shall be in the same manner as in the case of the vacation of roads under the general road law

Section 216 Spurs and Branch Roads In constructing reconstructing repairing or maintaining any public highway taken over by the State as a State highway it shall be lawful to construct reconstruct repair and maintain a spur or branch road to such State highway in order to reach points named in the route of such State highway as taken over

Section 217 Connecting Roads between State Highways The secretary is hereby authorized to join two or more State highway routes in cities of the second class second class A and third class boroughs incorporated towns or townships or in any two or more of such political subdivisions by taking over or building a connecting road not more than one mile in length whenever such connecting road would lessen the distance between two points on separate routes or provide a better alignment or grade Such road when constructed or taken over shall become a State highway and subject to the laws relating to such highways

Any damage occasioned by the taking of land for the construction of any such connecting road shall be determined and paid as provided by Article three of this act

Section 218 Lengthening or Shortening Intersecting Routes to Conform to Relocations Where any section of any State highway route which contains the terminus of an intersecting State highway route has been or shall be relocated in such a manner that the terminus of the intersecting State highway route does not fall within the limits of the relocated route the secretary may lengthen or shorten such intersecting route so that its terminus falls within the limits of the relocated State highway route If the intersecting route is shortened and the portion thereof abandoned as a State highway by reason thereof is in the opinion of the secretary unnecessary for public use and travel the secretary may vacate said abandoned section When any State highway route is lengthened under the provisions of this section and property is taken thereby the damage shall be ascertained and paid as provided by Article three of this act

Section 219 Designation of Future Locations for Highways The secretary with the approval of the Governor may designate the future location and width of any proposed highway and continue to maintain the present highway until such time as the amount of traffic warrants the construction of the new highway designated and until such new highway has been completed and opened to traffic

Whenever the secretary shall establish the width and lines of any such highway he shall cause a plan thereof to be made showing the center line of said highway and the established width thereof and shall attach thereto his acknowledgment Thereupon such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in a separate book kept for such purpose which shall be furnished to the recorder of deeds by the county commissioners at the expense of the county

No owner or occupier of lands buildings or improvements shall erect any building or make any improvements within the limits of any State highway the width and lines of which have been established and recorded as provided in this section and if any such erection or improvement shall be made no allowance shall be had therefor by the assessment of damages

Any damages sustained by the taking of private property under the provisions of this section for the construction of such highway shall be ascertained and paid as provided by Article three of this act

Section 220 Parallel Highways Establishment Control of Direction of Traffic When any State highway route or combination of State highway routes or portions thereof in the opinion of the secretary is inadequate for present or anticipated traffic and the cost of securing the right of way necessary for a highway of adequate design on the existing location would be unwarranted in the judgment of the secretary or the topography adjacent to the existing location is such that widening is impractical and the establishment and construction of a parallel highway together with the retention of the existing highway will provide ample width of highway for public use the secretary may establish construct and maintain a parallel or approximately parallel highway as a State highway in any township borough incorporated town or city or combination of such political subdivisions and retain the present highway as a part of the system of State highways A plan for the establishment and construction of such parallel or approximately parallel highway shall be prepared by the department signed by the secretary and approved by the Governor and filed as a public record in the department

The secretary may control the direction of the flow of traffic over parallel or approximately parallel highways established under the provisions of this section by the erection of approved one-way traffic signs at the beginning and ending of each parallel or approximately parallel highway and at the entrance of all roads highways alleys or streets connecting therewith

Damages occasioned by the taking of private property for the construction of parallel or approximately parallel State highways established under the provisions of this section shall be ascertained and paid as provided by Article three of this act

Section 221 Parallel Highways Taking over of Existing Roads and Streets Payments to Boroughs The secretary with the approval of the Governor is authorized to take over existing public roads and streets in cities boroughs and townships approximately parallel to State highways between any or all of the points named in the line or route of such State highway Any such road may intersect with or cross over the highway to which it is approximately parallel Any such road when taken over

shall become a State highway and be subject to the laws relating to State highways except that in the case of parallel highways in cities and boroughs approval of the councils thereof shall be required for the relocation or change of the lines or widths thereof or for constructing and improving such parallel route wholly or in part on a new alignment

Whenever the secretary shall adopt any existing street parallel to any State highway in any borough as a State highway and such parallel street has been improved and constructed by the borough according to the standards of the department for the construction of streets forming parts of State highways and under plans prepared by the department the department shall reimburse the borough for the amount expended by such borough for the improvement and construction of such street to be determined by the councils of such borough and the department

Any damages sustained by any property owner in connection with the construction change of width or relocation of such road shall be ascertained and paid as provided by Article three of this act

Article III

Eminent Domain Ascertainment and Payment of Damages

Section 301 County to be Notified of Certain Improvements etc Before the department shall undertake the construction reconstruction or improvement of any State highway wherein a change of width or of existing lines and location is necessary and damage is likely to result to abutting property it shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location After the county commissioners have agreed to such changes or refused to agree thereto as hereinafter provided the department may proceed with the work of construction reconstruction and improvement

Section 302 Fixing Amount of Damage Payment by County After the receipt of the notice as above provided the county commissioners if they approve such change of width or of existing lines and location and agree thereto in writing shall when possible enter into an agreement with the owner or owners of said property as to amount of damage to be paid to said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars ($300.00) the same shall not be paid by the county until the proposed agreement shall have been filed by the county commissioners in the office of the prothonotary of the county in which the property damaged is situated If no exceptions are filed thereto within ten (10) days after notice given by publication as hereinafter provided the county commissioners may pay the amount so agreed upon If exceptions thereto are filed within ten (10) days after such notice the proceedings shall be presented to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner could agree thereon In such cases if the property owner and the county commissioners agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the parties without any further approval by the court Notice of the filing of such agreement in the office of the prothonotary and of the time and place of hearing in all such cases shall be given by one publication in one or more newspapers of general circulation throughout the county which shall state that any taxpayer may file exceptions to the agreement or may appear at such hearing and be heard together with his witnesses as the case may be

Section 303 Assessment of Damages and Benefits Payment by County In case an agreement satisfactory to the county commissioners and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages as well as any benefits Such petitions shall be presented within six (6) years from the date of the approval by the Governor of the plan making the change but not thereafter

In assessing the damages the viewers shall take into consideration the advantages derived from such road passing through the land of the complainant The viewers shall make report in writing to the court of quarter sessions within the time fixed by the court in its decree appointing the viewers or such extention thereof as the court may allow At the end of thirty (30) days after the filing of the report if no exceptions thereto have been filed the report shall be confirmed absolute by the court without waiting until the next term of court If all parties in interest waive the thirty (30) day period before confirmation absolute and shall in writing agree to have the report of the viewers confirmed absolute at any time before the expiration of the thirty (30) day period the court may enter confirmation absolute accordingly The county commissioners or any other party to such proceedings may within thirty (30) days after the filing of the report of the viewers appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located

Section 304 Fixing or Assessment of Damages and Benefits Payment by Commonwealth Whenever the county commissioners do not consent to or approve any such change of width or of existing lines and location and the secretary determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property as to the amount of damages to be paid therefor and if agreed upon such damages shall be paid by the Commonwealth out of moneys in the Motor License Fund If such agreement cannot be made the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assesss such damage as well as any benefits within the same time in the same manner and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the county agreed to such change The damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund

Section 305 Damage by Change of Lines of Intersecting Roads Removal of Structures The county shall be liable for any damages sustained by abutting property owners for a change of the width or lines of roads intersecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width lines or location for the construction of a State highway Such damages shall be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width or of existing lines and location of State highways In case the commissioners shall not have consented to and approved such change of width or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the county commissioners Such damages shall be paid from the Motor License Fund

In all cases where the county commissioners have consented to and approved the change of width or of existing lines or location the county shall also provide for the removal of all structures within the lines of the highway as thus established unless otherwise provided by agree-

ment between the county and the secretary In all other cases the Commonwealth shall provide for the removal of all such structures In case the same is to be done by the Commonwealth the cost thereof shall be paid out of the Motor License Fund

Section 306 Agreement by County to Assist in Payment of Damages If the county refuses to assume all damages in connection with the relocation or widening of any highway as hereinbefore provided the county commissioners and the secretary may thereafter agree that the county shall pay a portion thereof to either the owners or to the department or shall perform specified work for the benefit of the owner in lieu thereof or shall participate in the total damage expense in such other manner as may be agreed upon

Section 307 Property Damage in Elimination etc of Crossings where Construction Paid for by Federal Government In any case where the costs of construction in the elimination of a grade crossing or in the alteration or abolition of an existing overhead or undergrade crossing on a State highway route within any township or any borough are to be paid by the Federal Government the department in the discretion of the secretary may by written declaration filed with the Public Utility Commission assume and pay all or any part of the property damages for land or buildings thereon taken injured or destroyed in such elimination alteration or abolition

In such cases the secretary is hereby authorized to enter into agreements with counties townships boroughs and railroad companies for sharing all or any part of the property damages Any moneys received under the terms of such agreements shall be deposited in the Motor License Fund

Section 308 Procedure where Possession of Condemned Property is Withheld Whenever the secretary with the approval of the Governor shall have condemned property for highway purposes either under the provisions of this act or of any future law and possession thereof is withheld a writ of possession may be issued by the court of common pleas of the county wherein the property condemned is situated on petition by the secretary or by the county commissioners for a rule returnable in ten (10) days to show cause why the writ shall not be issued Such writ shall be served by the sheriff upon the respondents named in the writ and upon all other persons found in possession of any occupied property structures and dwelling house taken in whole or in part by such condemnation The prothonotary shall add the names of such other persons as respondents after service of the writ If no answer is filed or if an answer is filed and after such hearing as the court shall direct it shall deem the same to be insufficient the court shall upon motion order and direct the sheriff of the county or his deputy to execute such writ and deliver possession to the Commonwealth or the county as the case may be The procedure outlined in this section shall not be considered as in derogation of or in any manner affecting any other powers or procedure possessed by the Commonwealth or county in such cases No bond or other form of security shall be required to be filed by the Commonwealth or the county

Article IV

Construction Improvement Maintenance and Repair of State Highways

Section 401 Duty on Department of Highways The department shall construct or improve and thereafter maintain and repair at the cost and expense of the Commonwealth the highways forming the plan or system of the State highways in the several counties and townships Such improvement and maintenance shall be made according to specifications to be prepared by the department as regards the character construction and material to be used The work of construction and maintenance of said State highways shall be done under the direction and supervision of the secretary The secretary in addition to the powers conferred upon him in this act shall enjoy and possess in the construction and maintenance of State highways all the rights and powers conferred by existing laws on supervisors or commissioners in townships in the construction or maintenance of township roads

Section 402 Materials for Construction Minimum Width All highways improved and constructed or rebuilt under the provisions of this act shall be constructed of such materials or combination of materials in such manner that the same of whatever material constructed will with reasonable repairs thereto at all seasons of the year be firm smooth and convenient for travel The kind of materials to be used on any particular highway or part thereof to be built shall be decided or selected by the secretary before the contract is let All State highways shall be constructed and improved to width of not less than nine (9) feet

Section 403 By Whom Construction Work to be Done All work of construction building or rebuilding of highways excepting that of repairing and maintenance done under the provisions of this act may be either (1) by the agents servants and employes of the department or (2) by contract and shall be according to plans and specification to be prepared in every case by the department

Section 404 Awarding Contracts Bonds In awarding any contract the work shall be given to the lowest responsible bidder with the option on the part of the secretary to reject any or all bids if the prices named for the work or materials to be used are higher than the estimated cost or for any other reason appearing to the secretary Every person before being awarded any contract for the construction or improvement of any State highway under the provisions of this act shall furnish a bond with sufficient surety or sureties in a sum equal to fifty per centum of the contract price of the work conditioned that the contractor shall well and truly and in a manner satisfactory to the secretary complete the work contracted for and shall save harmless the Commonwealth of Pennsylvania from any expense incurred through the failure of said contractor to complete the work as specified or from any damages growing out of the carelessness of said contractor or his or its servants Where the amount of such contract is in excess of five hundred dollars ($500.00) it shall be the duty of the department to require every person co-partnership association or corporation entering into such contract before commencing work thereunder to execute and deliver to the Commonwealth of Pennsylvania an additional bond for the use of all persons interested in a sum equal to fifty per centum of the contract price of the work which bond shall be conditioned for the prompt payment of all material furnished and labor supplied or performed and services rendered by public utilities in or in connection with the prosecution of the work whether or not such material or labor entered into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the department for the use of any party interested therein Every such additional bond shall provide that every person who whether as sub-contractor or otherwise has furnished material or supplied or performed labor or services in or in connection with the prosecution of the work and who has not been paid therefor may sue in assumpsit on such additional bond in the name of the Commonwealth for his use and prosecute the same to final judgment for such sum or sums as may be justly due him and have execution thereon The Commonwealth shall not be liable for the payment of any costs or expense of any such suit Each of such surety bonds shall have as surety thereon one or more surety companies legally authorized to transact business in this Commonwealth and satisfactory to the secretary

Section 405 Advertisement for Proposals Advertisement for proposals for construction reconstruction or improvement of all State highways under the provisions of this act shall be made by the secretary at least three weeks before the contract may be awarded by public notices inserted at least twice in one or more newspapers of general circulation in the county in which the highway to be improved is located and where the highway to be improved is located in more than one county then in

at least two newspapers in at least two of such counties Such advertisements shall designate where the plans and specifications may be had and the time and place of the reception of bids and letting of the contract The secretary may at his discretion insert the same advertisement in other newspapers or engineering periodicals

Section 406 Approval and Execution of Contracts Every contract authorized to be made by the secretary under the provisions of this act for the reconstruction or improvement of State highways shall be made in the name of the Commonwealth of Pennsylvania and shall be signed by the secretary and shall be approved as to form and legality by the Department of Justice

Section 407 Maintenance of Highways For the purpose of uniform efficient and economic maintenance and repair of the State highways the department shall purchase all necessary material and shall appoint and employ all necessary labor or repairmen who shall at all times in the year keep the State highways free from holes ruts sticks loose stones or other impediments of any kind which tend to interfere with free and easy travel or which if permitted to exist might tend to the deterioration injury or destruction of the highway

Section 408 Contracts for Repair Maintenance and Engineering Services The secretary may [at his discretion] upon compliance with the foregoing sections of this article enter into a contract with any person firm or corporation or the authorities of any city borough or incorporated town or the commissioners of any county or the supervisors or commissioners of any township to repair and maintain any State highway or any portion thereof The secretary may also contract with any person firm or corporation for engineering services to lay out design and estimate the cost of constructing altering or repairing highways and bridges

Section 409 State Highway Markers All State highways shall be marked as determined by the secretary with suitable signs having the words "State Highway" thereon and signs or distance board giving directions to towns or villages shall be erected at cross or intersecting roads the same to be paid for as part of the cost of maintaining the highway

Section 410 Trees Grasses Shrubs and Vines along Highways Penalty The department may cause trees grasses shrubs and vines to be planted and maintained along State highways within the legal right of way thereof the same to be paid for as a part of the cost of construction or maintenance of the road The department may enter into agreements with the Department of Forests and Waters regarding the planting and maintenance of such trees grasses shrubs and vines The Department of Highways shall have the absolute right to trim cut and remove any trees grasses shrubs and vines growing within the legal right of way of any State highway and to trim and cut away any trees grasses shrubs and vines growing on adjacent property in so far as they overhang or encroach upon the legal right of way of any state highway

It shall be unlawful for any person to cut trim remove or otherwise damage any trees grasses shrubs or vines growing within the legal right of way of a State highway which have been planted by any person or agency other than the abutting property owner without first having obtained the consent of the secretary in writing Any person who shall cut trim remove or otherwise damage such trees grasses shrubs or vines without first having obtained such written consent shall on summary conviction thereof be sentenced to pay a fine of not less than twenty-five dollars ($25.00) or more than one hundred dollars ($100.00) for each act of cutting trimming removal or damaging This section shall not be construed to permit the department to interfere with the right of any abutting property owner to establish entrance to his property from State highways at any point or points at which such owner may desire to establish such entrances

Section 411 Use of Highways by Public Utilities Penalty No railroad or street railway shall hereafter be constructed upon any State highway nor shall any railroad or street railway crossing nor any gas pipe water pipe electric conduits or other piping be laid upon over under or in nor shall any telephone telegraph or electric light or power poles or other structures be erected upon over or in any portion of a State highway nor shall any opening be made therein except under such conditions restrictions and regulations and subject to the payment of such fees for permits for the placing of such structures and openings as may be prescribed and required by the department Such fees shall not exceed the reasonable cost of permit issuance inspection and surface restoration costs The secretary shall also have authority to issue permits to any public utility company for the occupancy by the facilities of such company of any bridge under the control or jurisdiction of the department Such permits shall be for such length of time and for such fee for the occupancy of said bridge as may be determined by the secretary subject to the right of the utility company to appeal to the court of common pleas of the proper county having jurisdiction thereof as to the reasonableness of the fee of the occupancy All fees so collected shall be paid into the Motor License Fund

Any person failing to obtain such a permit before doing any work on any highway for which a permit is required by this section shall for every such offense be sentenced upon conviction in a summary proceeding to pay a fine not exceeding one hundred dollars ($100.00) and costs together with the cost of restoring any highway which moneys shall be paid into the State Treasury and credited to the Motor License Fund

Section 412 Occupancy of Right of Way of Public Service Companies Whenever in the construction widening or relocation of any State highway bridge or tunnel or of any part thereof it becomes necessary in the opinion of the secretary to occupy the whole or any part of the right of way of any public service company the department may enter upon and occupy the whole or any part of such right of way for the purpose of such highway bridge or tunnel or part thereof Before such right of way or any part thereof is so occupied either the department or the county whichever is responsible for property damages under the provisions of this act governing the payment of damages for property condemned for highway purposes shall at the expense of the Commonwealth or county provide a substitute right of way on another and favorable location Such public service company shall thereupon provide for the transfer to or reconstruction upon in under or above said substitute right of way of any structures and facilities of said public service company located upon in under or above said original right of way at the time the same is so occupied. The department or the county as the case may be is hereby authorized to enter into agreements with such public service company to contribute toward the expense of such transfer or reconstruction and in the event that they are unable to agree on the amount to be paid the matter shall be referred to the Pennsylvania Public Utilities Commission which shall after hearing thereon make a finding of the amount to be paid to such public service company by the Commonwealth or county In case of the failure of such public service company within a reasonable time after notice so to do to remove its facilities to such substitute right of way the Pennsylvania Public Utilities Commission shall have jurisdiction on petition of the department to order such transfer or reconstruction Any party to such proceedings before the Pennsylvania Public Utilities Commission shall have the right to appeal to the Superior Court from the ruling of the commission The department or the county commissioners are hereby authorized to acquire by purchase or by the exercise of the right of eminent domain in the same manner that property is now taken and condemned for State highway purposes any necessary land or right of way for the relocation of any such public service right of way and facilities The right of way of a railroad company shall not be acquired or occupied without the consent of the company owning or operating or in possession of said railroad

Section 413 Acquisition of Property for Unobstructed View The department may acquire by purchase or by

the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two highways or a highway and a railroad or railway or at any curve in any highway as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway

Upon any such condemnation the secretary shall file with the recorder of deeds of the proper county a plan showing the property condemned and such other detailed information as may be deemed necessary Said plan shall be recorded at the expense of the county After the same is recorded the secretary may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as provided for the condemnation of land by the department for road purposes

Upon the condemnation of a view over and across any lands for the purposes of this act the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve Unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

Section 414 Snow Fences Entry on Private Lands to Place The department shall have authority to enter upon private property adjacent to any State highway and place thereon snow fences at any point deemed necessary in order to eliminate snow drifting on the traveled portion of the highway Such snow fences shall not be placed more than one hundred (100) feet from the right of way line of the highway

No snow fence authorized under this act shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

If the department shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of the proper county for the appointment of viewers to ascertain the amount of damage incurred in such case The procedure for the ascertainment of such damages shall be in accordance with the provisions of this act for the ascertaining of damages to private property due to a relocation of a State highway Such damages if any when ascertained shall be paid by the department

Section 415 Live Snow Breaks Acquisition of Land The secretary is hereby authorized and empowered to establish and maintain live snow breaks along or adjacent to State highways for the purpose of preventing snow from drifting on said highways

The secretary is hereby empowered to acquire land along or adjacent to State highways for the purpose of placing thereon live snow breaks Such land shall be acquired in the same manner and subject to the same requirements and restrictions as provided in this act for the acquisition of land for the relocation of State highways

Section 416 Sidewalks along State Highways Whenever it shall appear that any part or portion of a State highway in any township is dangerous to the traveling public and such danger could be materially reduced or lessened by the construction of a sidewalk the department may aid the local authorities to lay out and construct a sidewalk along such dangerous portion of State highway Such sidewalks shall be constructed in such manner and of such materials as deemed advisable by the department but shall be raised at least five inches above the surface of the highway All sidewalks constructed under the provisions of this section shall be thereafter considered as a part of the State highway system and shall be reconstructed maintained and repaired by the department and the cost or proportion thereof agreed to be paid by the department shall be paid in the same manner as provided in this act in the case of State highways

Section 417 Drains and Ditches over Lands and Enclosures Damages Penalty The department shall have authority to enter upon any lands or enclosures and cut open maintain and repair such drains or ditches inlets or outlets through the same as are necessary to carry the waters from roads highways or within at the top or base of slope areas constructed or improved at the expense of the Commonwealth or under its supervision Any damages sustained by the owner or owners of land entered upon by the department for such purposes shall be paid in the same manner as provided by this act in the construction of State highways. The determination of the amount of damage shall be in accordance with the provisions of Article three of this act

If any person shall stop fill up or injure any such drain or ditch or shall divert or change the course thereof without authority from the department such person shall upon summary conviction thereof for every such offense forfeit and pay a sum of not less than four dollars ($4.00) nor more than twenty dollars ($20.00) together with costs of prosecution All such fines collected shall be paid to the treasurer of the proper county

Section 418 Changing or Protecting Stream Channels The department shall have authority to enter upon private property adjacent to or in the vicinity of highways or bridges constructed or maintained in whole or in part by the Commonwealth or any highway or bridge under the jurisdiction of the department and change or protect existing stream channels where it is deemed advisable in order to protect improved highways or bridges within the limits of any borough incorporated town or township from damage due to erosion or high water Any such change to an existing stream channel shall first be approved by the Department of Forests and Waters

The Secretary when possible shall enter into an agreement with the owner or owners of said property as to the amount of damages to be paid which damages if agreed upon shall be paid by the department In case no agreement satisfactory to the secretary and the owner or owners can be made the secretary may proceed with the changing or protecting of any stream channel and the owner or owners of the property damaged thereby or the secretary may present a petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The determination of the amount of damages shall be in accordance with the provisions of Article three of this act and shall be payable from the Motor License Fund

Section 419 Subsidence from Failure of Vertical or Lateral Support Whenever a State highway or any part thereof subsides by reason of the failure of vertical or lateral support therefor it shall be the duty of the person copartnership association or corporation then owning the subjacent or adjacent strata as the case may be to provide for the restoration of the vertical and lateral support and the replacement of the surface of such highway upon receiving from the department notice to proceed with such restoration and replacement In the event that such owner of the subjacent or adjacent strata does not proceed immediately after notice with the replacement and restoration of the highway and does not diligently complete such restoration and replacement within a reasonable time the subsidence is hereby constituted and declared a public nuisance which may be abated by appropriate proceedings in law or in equity against such owner If such owner fails or refuses to provide for the restoration and replacement of the highway then the department may proceed with such restoration and replacement and the underlying owners of the subjacent or

adjacent strata both at the time the vertical or lateral support was removed and at the time the subsidence occurred and their respective assignees lessees or grantees shall be jointly and severally liable for the cost of restoration The provisions of this section shall not be construed to restrict any existing remedy now available to the Commonwealth nor shall it be so construed as to nulify or modify any existing assignment or agreement transferring the obligation to furnish vertical and lateral support of the surface as between the parties thereto

The term "subjacent or adjacent strata" as used in this section shall mean any land or estate or right therein from which materials have been extracted by mining or quarrying operations causing the subsidence

It shall be the duty of any person co-partnership association or corporation operating any quarries or mines in this Commonwealth under or adjacent to State highways to permit inspection by the department of any maps drawings or blue prints of such quarry or mine workings and to furnish a copy of such maps drawings or blueprints to the department which maps drawings or blueprints shall indicate the location of State highways with reference to their quarrying or mining operations

It shall be the duty of any person co-partnership association or corporation mining or quarrying or about to mine or quarry under any State highway or within three hundred (300) feet horizontally from the center line of any State highway projected downward vertically to notify the department and to furnish copies of maps drawings or blueprints and such other information as may be reasonably required by the secretary

The department through its authorized representatives shall have the right to enter upon and into any quarry or mine workings under or adjacent to any State highway for the purpose of inspecting the actual conditions of such workings and it shall be the duty of any person co-partnership association or corporation operating any such quarry or mine to permit such inspection and to give such information and assistance in the making of the same as may be reasonably required by the secretary

Any person who shall fail to comply with any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) or suffer imprisonment for not more than six (6) months or both in the discretion of the court For the purposes of this section the word "person" shall mean the partners or members of any copartnership or association and shall mean the officers of any corporation All penalties collected under the provisions of this act and all bail forfeited shall be paid into the State Treasury and credited to the Motor License Fund

This section shall be deemed an exercise of the police power of the Commonwealth for the protection of the public safety in the use of State highways and shall be liberally construed for the accomplishment of this purpose

Section 420 Rules for Use of and Injury to Highways Penalty The secretary is empowered to make reasonable rules and regulations governing the use of all State highways and by the construction of curbs divisor strips painted lines or signs may control the direction of the flow of traffic thereon Any person violating such rules or regulations or who shall by any method or device or in any manner wilfully or maliciously destroy injure or damage any such highway in this Commonwealth shall upon summary conviction thereof be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than twenty dollars ($20.00) for each offense together with the costs of prosecution which shall be recovered as in similar cases upon complaint of any person before a magistrate or justice of the peace and the fine or fines so recovered shall be paid into the Motor License Fund

Section 421 Discharge of Sewage or Drainage on Highways Prohibited It is unlawful for any person to discharge sewage or drainage except surface drainage on or within the legal limits of any State highway

Any sewer outlet placed or located within the limits of a State highway or so located that the discharge therefrom enters a State highway is hereby declared to be a violation of this section and a public nuisance and may be blocked or removed by the department

Section 422 Closing Highways to Vehicular Traffic Except in the case of emergencies wherein the safety of the public would be endangered no State highway shall be closed to vehicular traffic except upon order of the department nor for a longer period than is necessary for the purpose for which such order is issued No public road or highway shall be closed to vehicular traffic when the same has been designated as a detour by the department unless the written consent of the department has first been obtained or unless the authorities having jurisdiction over said road or highway shall by resolution duly recorded on their minutes declare such closing necessary for the protection of the public safety

When any borough town or city street which forms a part or section of a State highway is closed to vehicular traffic the borough town or city shall at once notify the department of the creation of a detour as hereinafter provided and when such detour is removed the department shall also be notified at once of the removal

Section 423 Detours When any State highway shall be closed it shall be the duty of the department to immediately designate or lay out a detour on which it shall erect or cause to be created and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use it shall be the duty of the department to maintain such detour in safe and passable condition It shall also be the duty of the department to remove all detour signs immediately upon the opening for traffic of the highway originally closed The department shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour the department may enter into agreement with the owners of private lands covering the acquisition of right-of-way privileges over private property for the period when the main highway shall be closed to traffic In case no agreement satisfactory to the parties can be reached the department may proceed with the construction of the same and either the department or the owner of the property occupied may petition the court for the appointment of viewers to ascertain the damages if any in the same manner as provided by Article three of this act

Section 424 Penalties and Damages Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this act or who shall drive on over or across any State highway which has been closed by the department shall upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid All fines collected shall be paid by the officer receiving the same to the treasurers of the respective cities boroughs towns or townships in which the offense was committed

Persons who have no outlet due to the closing of a highway may drive on over or across such highway with the consent in writing of and subject to such conditions as may be prescribed by the department or its agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties herein provided the department acting through the Department of Justice or its contractors may in an action at law recover damages from any person or persons who have damaged a highway by driving on over or across same when it is closed to ve-

hicular traffic in accordance with the provisions of this act

Section 425 Signs Banners etc across or within Legal Limits of Highway Penalty Abatement It shall be unlawful to place any sign banner or advertising matter of any kind whatsoever on or across any State highway or on or across any structure within the legal limits of any State highway without first having obtained the written consent of the department Any person violating the provisions of this section shall upon summary conviction be sentenced to pay a fine of not less than four dollars ($4.00) nor more than twenty dollars ($20.00) All such fines shall be paid into the county treasury to be used only for the construction or repair of public roads or highways

Any such sign banner or advertising matter placed without the consent of the department is hereby declared to be a public nuisance and may be abated by the department with or without notice to the persons responsible for the placing thereof

Any person violating any of the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) or in default of payment of said fine and costs to be imprisoned in the county jail for a period of one day for each dollar of fine and costs unpaid All fines collected under the provisions of this act shall be paid to the treasurer of the municipality in which the offense occurred

Article V

Rural State Highway System and State Highways in Cities Boroughs and Towns

(a) Rural State Highway System

Section 501 Structures on Rural State Highways The department shall not assume for the Commonwealth any obligation to maintain construct or reconstruct any structure of any kind or character whatsoever situate upon or forming part of any township road taken over or designated as a part of the rural State highway system except only drainage structures with a total spanned length not exceeding ten (10) feet measured along the center line of the highway and which were the sole obligation of the townships prior to the taking over of such road by the Commonwealth Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the county township person association or corporation responsible therefor at the date of the approval of the act taking over the road

Section 502 Construction Repairs Maintenance Taking over by Counties After the highways on the rural State highway system shall have been taken over by the Commonwealth they shall be built rebuilt constructed reconstructed repaired and maintained by the department at the expense of the Commonwealth but it shall nevertheless be lawful for the department to enter into agreements in the discretion of the secretary with counties or townships or with persons associations or corporations for sharing with the Commonwealth the cost of construction reconstruction and maintenance of such highways or parts thereof The construction or improvement of any such highways shall be of such width type and location as may be determined by the secretary with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the secretary

The county commissioners of any county may by resolution and after approval of a grand jury of the county take over with the consent of the secretary any State highway on the rural State highway system or any section thereof as a county road to be maintained and improved in the manner provided by law for county roads A description of any road or section so taken over with the resolution of the county commissioners and the approval of the secretary shall be filed on record in the office of the clerk of the courts of the proper county

(b) State Highways in Boroughs and Towns

Section 511 Changing etc Width Grades or Lines of Highways Whenever in the construction reconstruction maintenance and repair of any State highway within the limits of any borough or incorporated town it shall appear to the secretary that any part or portion of such State highway within the borough or incorporated town is dangerous or inconvenient to the traveling public in the present location either by reason of width grades dangerous turns or other local conditions or that the expenses of the Commonwealth in the construction or maintenance and repair thereof would be too great or unreasonable and could be materially reduced or lessened the secretary with the approval of the Governor may change alter or establish the width grades or lines of any such State highway in a borough or incorporated town before or after construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads

Whenever the secretary shall change alter or establish the width grades or lines of any State highway within a borough or incorporated town he shall cause a plan thereof to be made showing the line of State highway and the established width thereof and shall attach thereto his acknowledgment Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in the book kept for such purposes by the recorder of deeds All costs of the recording shall be paid by the county

All damages resulting from a change of width or of existing lines and locations under the provisions of this section shall be ascertained and paid as provided in Article three of this act

Whenever the secretary shall change alter or establish the widths grades or lines of any State highway within a borough or incorporated town it shall not be necessary to submit the plans therefor to the county commissioners for approval unless responsibility for the property damages is to be assumed by passage of a proper resolution of the county commissioners Borough councils by passage of a proper ordinance may adopt the plan of the department as and for the action of the borough in establishing the widths lines grades and drainage structures as shown thereon and in such event the borough shall be responsible for settlement and payment of the resultant property damages or the borough may enter into an agreement with the secretary subject to the terms of a resolution of the borough council authorizing the same whereby the borough will pay the resultant property damages in whole or in part upon such terms as may be agreed upon with the secretary

Section 512 Abandoned Rights of Way of Canals Railroads and Turnpikes Where the department has heretofore acquired or shall hereafter acquire by condemnation purchase or otherwise the abandoned right of way of a canal railroad or turnpike company to form a part of a State highway route and any part thereof is located within the limits of any borough the part located within the borough shall be taken and deemed to be a borough street without any action on the part of the borough or any of its representatives to either accept dedicate or open it as such Any damages occasioned by the adoption as aforesaid or any part or parts of an abandoned right of way of a canal railroad or turnpike company as a part of a State highway route located within a borough shall be paid by the borough wherein said section of highway is located and such damages shall be determined and paid in the same manner as is now provided by law for the opening of borough streets

Section 513 Improvement Reconstruction and Maintenance The department shall at the expense of the Commonwealth improve or reconstruct and maintain all State highways within boroughs and incorporated towns to such width and of such type as shall be determined by the Secretary

Section 514 Bridges on State Highways in Boroughs and Incorporated Towns The department shall construct reconstruct and maintain any bridge over a stream or mill race which the borough or incorporated town is obligated to maintain and which bridge is located on or forms a part of a State highway within the limits of any borough or incorporated town Provided That nothing

herein contained shall authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing or in the reconstruction of any structure eliminating a grade crossing on any highway within the limits of a borough or incorporated town and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

Section 515 Openings in Surface of Highways Maintained by State in Boroughs and Towns Penalty No opening shall be made in the surface of any improved highway which is maintained by the department under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the department pursuant to an ordinance authorizing the department to act for the municipality Where a permit is not obtained from the department as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the department for the cost of the restoration of such surface in accordance with the adopted standards of the department for the particular type of construction Any person opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction be sentenced to pay a fine of not more than twenty-five dollars ($25,00) and in addition thereto the cost of prosecution and surface restoration costs and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

(c) Streets in Second Second A and Third Class Cities

Section 521 Restrictions and Limitations upon Powers and Obligations of State The designation or taking over of any street of any city of the second second A or third class as a State highway by any act of Assembly is not intended and shall not be construed

(1) To place upon the Commonwealth any duty to regulate traffic or police any such streets but such duty shall be and remain the obligation of the cities

(2) To place upon the Commonwealth any obligation for the maintenance construction reconstruction or resurfacing of said streets other than the base or surface courses

(3) To place upon the Commonwealth through the department any obligation to maintain construct or reconstruct any structure of any kind or character whatsoever situate upon or forming part of any such city street or section thereof except that the secretary may assume the obligation to maintain construct or reconstruct drainage structures with a total spanned length not exceeding ten (10) feet measured along the center line of the street other than storm or sanitary sewers and which were the sole obligation of the city prior to the designation of the street as a State highway Responsibility for the construction reconstruction and maintenance of any other structure shall remain with the city person association or corporation responsible therefor at the date of the approval of the act by which the street was designated as a State highway

(4) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any street described and designated as a State highway and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

(5) To place upon the Commonwealth any obligation under any franchise or franchises heretofore or hereafter granted by the city to any public utility company nor to transfer to the Commonwealth from the city any rights under any such franchise or franchises heretofore granted

(6) To place upon the department any authority to regulate traffic parking or the general use by the traveling public of the streets or section thereof taken over by the Commonwealth for maintenance or improvement under the provisions of this or any other act Provided however That the department is hereby authorized to close to traffic all of the streets or sections thereof taken over as State highways during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section five hundred twenty-six of this act

Section 522 Construction Resurfacing Repair and Maintenance After the streets designated as State highways shall have been taken over by the Commonwealth they shall be maintained constructed reconstructed and resurfaced by the department at the expense of the Commonwealth and such construction reconstruction and resurfacing shall be of such type as shall be determined by the secretary with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the secretary The obligation of the Commonwealth in the construction reconstruction resurfacing or maintenance as hereinbefore provided shall be limited to that part of the street or section thereof between curb lines as established at the time of passage of the act by which the street was designated as a State highway or in the discretion of the secretary between curb lines theretofore or thereafter established but shall not include the portions of such streets which are or may be used and occupied by the structures or surface facilities of any public utility company Maintenance shall not include snow removal or street cleaning and shall be limited to the portion of the street between existing curb lines available to vehicular traffic

The department may enter into agreements in the discretion of the secretary with the cities or with persons associations or corporations for the sharing with the Commonwealth of the cost of construction reconstruction or resurfacing of the streets or sections thereof taken over by the Commonwealth under any act Where any such street is to be improved and the city agrees to bear a portion of the cost of the improvement the abutting property owners may be assessed a proportionate part of the cost of the improvement and benefits as now provided by the laws applicable to the improvements of city streets

Section 523 Width Lines Grades and Location The department shall not change the width lines or grades of the streets taken over under the provisions of any act of Assembly or any section thereof without the consent of the city evidenced by an ordinance duly passed in accordance with laws applicable thereto In the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto

Whenever it shall appear to the secretary that any part or portion of a State highway route in a city of the second class second Class A or third class as now or hereafter defined or described is dangerous or inconvenient to the traveling public in its present location either by reason of width grade length curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost to the Commonwealth A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located

Section 524 Replacement and Renewals of Public Utility Structures Tearing up Surface Before the department shall enter into an agreement with any city for the construction reconstruction or resurfacing of any of the streets or sections thereof designated as State highways by any act of Assembly the city shall take the necessary steps to compel all public utility companies to make any

necessary replacements or renewals of any of their structures located within the lines of the improvement prior to the commencement of work and shall further agree that the street or sections thereof when completed shall not be torn up or opened for a period of five (5) years except in emergency cases and subject to the same conditions and restrictions as prescribed by section five hundred fifteen of this act with reference to the opening of State highways in boroughs

Section 525 Permits for Opening Surface Penalty No opening shall be made in the surface of any improved street which is maintained by the department as a State highway until and unless a permit has been obtained for such opening either from the city authorities or from the department pursuant to an ordinance authorizing the department to act for the city Where a permit is not obtained from the department as above provided the city shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the department for the cost of the restoration of such surface in accordance with the adopted standards of the department for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction be sentenced to pay a fine of not more than twenty-five dollars ($25.00) and in addition thereto the costs of presecution and surface restoration charges and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 526 Detours Before the commencement of any work authorized under the provisions of section five hundred twenty-two of this act the city shall upon notice from the secretary so to do establish and thereafter maintain at its own expense an adequate detour for the accommodation of the traveling public for such length of time as may be necessary or until the improvement contemplated has been completed and accepted and the street or sections thereof opened and made available to public travel Such detour when established as herein provided shall be marked and posted by the department at the expense of the Commonwealth

Section 527 Cities Authorized to Incur Indebtedness Cities are hereby authorized to incur or to increase their indebtedness by the issue and sale of obligations of the city in the manner and subject to the limitations provided by law for the purpose of improving constructing reconstructing or resurfacing any of the streets or sections thereof the improvement of which is authorized in accordance with the provisions of this subdivision of this article

Section 528 Signs along Streets for Guidance of Public The department is hereby authorized to purchase place and maintain such signs and markers on or along the streets or sections thereof designated as State highways by any act of Assembly as may be determined to be necessary for the guidance and information of the traveling public

(d) Streets in First Class Cities

Section 541 Restrictions and Limitations upon Powers and Oligations of State The designation or taking over of any street of any city of the first class as a State highway by any act of Assembly is not intended and shall not be construed

(1) To place upon the Commonwealth any duty to regulate traffic or police any such streets but such duty shall be and remain the obligation of the cities

(2) To place upon the department any authority to regulate traffic parking or the general use by the traveling public of the streets or sections thereof taken over by the Commonwealth for maintenance or improvement under the provisions of any act of Assembly Provided however That the department is hereby authorized to close to traffic all of the streets or sections thereof taken over as State highways during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section five hundred forty-eight of this act

Section 542 Construction Resurfacing Repair and Maintenance Change of Lines Widths and Grades After the streets designated as State highways shall have been taken over by the Commonwealth they shall be maintained constructed resurfaced and repaired by the department at the expense of the Commonwealth and such construction reconstruction and resurfacing shall be of such type as shall be determined by the secretary with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the secretary Provided however That nothing in this section shall be construed to place upon the Commonwealth any obligation to repair and maintain the curbing and footways of any such street or to remove snow or keep street clean

The Department may enter into agreements in the discretion of the secretary with the cities or with persons associations or corporations for the sharing with the Commonwealth of the cost of construction reconstruction or resurfacing of these streets or sections thereof taken over by the Commonwealth under any act

Section 543 Type of Improvement The type of improvement shall include opening widening and change of grade on any street or section thereof clearing grading demolition removal of existing paving repaving surfacing the construction of traffic islands circle or other traffic channelizations the construction of storm water conduits drains and gutters culverts bridges viaducts and retaining walls curbing and recurbing the paving and repaving of sidewalks the planting of trees and shrubs seeding and sodding street and traffic signs traffic signals and conduits and lighting fixtures for same and such other work excepting water pipe and sanitary sewers as may be necessary fully and satisfactorily to complete such improvement

Section 544 Lines Widths and Grades Whenever the secretary shall deem it necessary or desirable that the lines widths or grades of any such street or section thereof be revised or changed prior to and for the purpose of facilitating the construction reconstruction or improvement of any such street the secretary may with the approval of the Governor enter into agreements with any such city within the limits of which such streets or section thereof to be constructed reconstructed or improved are located for the revision and change of lines widths and grades of such street or section thereof and such revision and changes shall be made by such city on the city plan in accordance with the law and procedure applicable thereto

Section 545 Taking Opening Relocation Widening Change of Grade Damages The Secretary with the approval of the Governor and any such city of the first class is hereby authorized to enter into agreements for the taking opening relocation widening or change of grade by the Commonwealth of any State highway or section thereof within the limits of such city Such agreements may provide inter alia for the payment by the city of all or part of the property damages resulting by reason of the taking opening relocation widening or change of grade by the Commonwealth of such highway or section thereof

The amount of damages payable for such taking opening relocation widening or change of grade by the Commonwealth shall be ascertained in accordance with article three of this act relating to the payment of damages for the taking opening relocation widening or change of grade of State highway routes Each city of the first class is hereby appointed and constituted the agent of the Commonwealth in the taking opening relocation widening or change of grade of any such highway or section thereof within its limits and in the determination of property damages payable therefor under the provisions of this subdivision of this article The city as agent for and on behalf of the Commonwealth shall determine by amicable settlement legal proceedings or otherwise all claims for damages in accordance with the procedure established by law for the determination of damages resulting from the exercise of eminent domain by cities of the first class No agreement for the settlement of any claim for damages

shall become effective until approved by the secretary and the secretary shall at the expense of the Commonwealth have the right to be represented by counsel and witnesses in any judicial proceedings to ascertain the damages payable but all other expenses of such judicial proceedings exclusive of damages shall be paid by the city The damages resulting from such taking opening relocation widening or change of grade of any such street or section thereof when finally ascertained whether by settlement award judgment or otherwise shall be paid out of moneys in the Motor License Fund and all sums if any due by such city as its share thereof under any such an agreement with the Commonwealth shall be paid by such city to the Commonwealth and shall be credited in the Motor License Fund

Section 546 Replacement and Renewals of Public Utility Structures Tearing up Surface Before the department shall proceed with the construction reconstruction or resurfacing of any of the streets or sections thereof designated as State highways by any act of Assembly the city after being notified of the contemplated improvement shall take the necessary steps to compel all public utility companies to make any necessary replacements or renewals of any of their structures located within the lines of the improvement prior to the commencement of work and shall agree that the street or sections thereof when completed shall not be torn up or opened for a period of five (5) years except in emergency cases and subject to the same conditions and restrictions as provided by section five hundred fifteen of this act with reference to the opening of State highways in boroughs

Section 547 Permits for Opening Surface Penalty No opening shall be made in the surface of any improved street which is maintained by the department as a State highway until and unless a permit has been obtained for such opening from the department Any person firm or corporation opening the improved surface of any street or highway without having first obtained such permit shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five dollars ($25.00) and in addition thereto the costs of prosecution and surface restoration charges and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 548 Detours Before the commencement of any work authorized under the provisions of section five hundred forty-two of this act the city shall upon notice from the secretary so to do establish and thereafter maintain at its own expense an adequate detour for the accommodation of the traveling public for such length of time as may be necessary or until the improvement contemplated has been completed and accepted and the street or sections thereof opened and made available to public travel Such detour when established as herein provided shall be marked and posted by the department at the expense of the Commonwealth

Section 549 Cities Authorized to Incur Indebtedness Cities of the first class are hereby authorized to incur or to increase their indebtedness by the issue and sale of obligations of the city in the manner and subject to the limitations provided by law for the purpose of assisting in the improving constructing reconstructing or resurfacing any of the streets or sections thereof the improvement of which is authorized in accordance with the provisions of this subdivision of this article

Section 550 Limit of Expenditure by Commonwealth The net expenditure of Commonwealth funds from the Motor License Fund or otherwise for the purposes of this subdivision of this article over and above the amounts paid by any city to the Commonwealth shall not exceed the sum of twelve million dollars ($12,000,000.00) in any one year

Article VI

Highways in Special Areas

Section 601 Highways on State Lands The department with the approval of the Governor may build rebuild construct and maintain roads bridges and viaducts within or on any State forest lands or within or on the lands of any charitable penal or educational institution including the Pennsylvania State College or within or on the lands of State parks State armories and military reservations or within or on any lands owned by the Commonwealth or under the direct control of any administrative department board or commission of the State government

Nothing in this section shall be construed as relieving any political subdivision of the Commonwealth from any responsibility for the construction reconstruction maintenance repair policing and supervision of any road bridge or viaduct except as such responsibility may be assumed by the Commonwealth under the provisions of this section or future laws applicable thereto

Section 602 Roads to State Property Used as Parks or for Military Purposes The secretary is hereby authorized to take over for construction reconstruction improvement and maintenance and thereafter to construct reconstruct improve and maintain at the expense of the Commonwealth as a part of its system of State highways any road leading from a State highway to any State property maintained as a park or used for military purposes The secretary shall first submit a plan of such road to the Governor and the same shall be approved by him After being approved the plan shall be filed as a public record in the office of the department

Before the secretary shall take over any such road for construction reconstruction improvement or maintenance he shall give notice in writing to the proper officers of the county or township in which said road shall lie of his intention to take over the same as a part of the system of State highways and of the date when the department will assume the care and maintenance thereof

Section 603 Gifts Donations and Transfer of Funds for Highways and Bridges on State Lands For payment of all or any portion of the cost of any work performed under the provisions of section six hundred one and section six hundred two the department is authorized to accept contributions gifts donations or materials from any political subdivision person firm association or corporation and any moneys thus received shall be deposited in the Motor License Fund Whenever any administrative department board or commission for which any such work is performed has funds available for payment of all or any portion of the cost of such work such funds shall be transferred to the Motor License Fund by proper requisition and warrant as provided by law

Section 604 Approach Roads to National Cemeteries National Military Parks etc The secretary in his discretion is hereby authorized to accept on behalf of the Commonwealth any conveyance from the Secretary of War by quitclaim deed of any government owned or controlled approach road to any national cemetery or national military park or any other road ceded by the Commonweal to the United States of America under the act approved the twenty-sixth day of June one thousand eight hundred ninety-five (P. L. 371) entitled "An act to cede jurisdiction to the United States over certain public roads within the National Park at Gettysburg Pennsylvania"

Any such section of road so conveyed by the Secretary of War and accepted by the secretary which is a part of or forms a continuation of a State highway route shall be a State highway and shall be constructed reconstructed and maintained as such

Any such section of road so conveyed by the Secretary of War and accepted by the secretary which is not a State highway or a continuance of a State highway shall revert to the status it occupied as a county or township road or borough street at the time it was ceded to the United States of America and the proper county or municipal authorities upon receipt of notice in writing from the secretary that such section of road has been conveyed to this State and accepted as aforesaid shall be responsible for the construction reconstruction and main-

tenance of those sections of said roads which lie within their respective counties or municipalities

Section 605 Abandonment of State Highways in State Parks and Federal Resettlement Projects The secretary is authorized whenever in his opinion any portion of a State highway route within the limits of any State park or Federal resettlement project in the Commonwealth shall be unnecessary for public use and travel and has had presented to him a petition or request by the proper authorities of such State park or Federal resettlement project for abandonment of such portion of State highway as a State highway route at any time by written order to declare such portion of State highway to be abandoned as a part of the system of State highways and thereupon such portion shall no longer be a part of such system Provided That the secretary shall first submit such proposed order of abandonment to the Governor and that the same shall be approved by him

Article VII

Bridges

(a) Bridges on State Highways

Section 701 Commonwealth to be Responsible for Certain Bridges on State Highways Where any county or township is responsible for the construction or maintenance of any bridge on a State highway route carrying vehicular traffic over a stream or mill race or over a stream or mill race and the facilities of any public service company or on a continuation of a State highway route through any borough or incorporated town or which is located on a continuation of a State highway route and part of which extends into the municipal limits of a third class city the responsibility of such county or township shall be assumed by the Commonwealth except as hereinafter provided All such bridges shall be taken over by the department and shall be built rebuilt repaired maintained and may be lighted by the department at the expense of the Commonwealth The assumption and taking over of any such bridge by the Commonwealth shall not be construed to relieve any person firm association or corporation from any obligation for the construction or maintenance of such bridge under any agreement or order of court or under any order of the Public Utility Commission heretofore or hereafter made

This section shall not be construed to place upon the Commonwealth the responsibility for the construction or maintenance of any bridge on a State highway route within the limits of any third-class city if such highway was established subsequently to the first day of January one thousand nine hundred thirty-one or any bridge which the county prior to the first day of September one thousand nine hundred thirty-five has with the approval of the secretary retained as a county bridge and has by resolution agreed to maintain and reconstruct in accordance with the standards of the department

The department shall not take over any such bridge if an order has been issued or a contract has been entered into for the rebuilding or reconstruction of such bridge until the rebuilding or reconstruction thereof has been completed

Section 702 Structures of Utility Companies Prior Contracts The department shall have authority to enter into contracts with any public service company for the construction as a part of any existing bridge or of any bridge to be hereafter constructed under the provisions of this act of such structure or equipment as may be necessary to accommodate the facilities of the company but the company shall in every such case pay in full the cost of such structure or equipment The department shall also have authority to issue licenses for such length of time and for such fee for the occupancy of any bridge by the facilities of any public service company as may be determined by the secretary with the approval of the Governor under the provisions of existing laws The payment by any public service company of the cost of such structure or equipment as may be necessary for the accommodation of its lines shall not confer upon such company any rights except those expressly conferred upon it by the license issued to it as hereinbefore provided All fees collected under such licenses shall include the costs of issuance of the license inspection of the work and restoration charges in addition to rental for the occupancy of the bridge and when collected shall be credited to the Motor License Fund

If any agreement or contract has heretofore been made or entered into between any county and any public service company for occupancy of any such bridge such agreement or contract shall remain in force and the State shall take over and succeed to all the rights of the county under such agreement or contract Where such contract provides for the payment of a certain amount for such occupancy payment shall be made by the company to the Commonwealth and if payment has already been made to the county in full for any specified length of time extending beyond the date of approval of this act the proportionate amount of the payment represented thereby shall be paid by the county to the Commonwealth and the department shall not be authorized to assume the obligation for construction or maintenance of such bridge until and unless such payment is made by the county All payments made to the Commonwealth as herein provided shall be credited to the Motor License Fund

Section 703 Bridge Abandoned on Relocation of Highway If the department relocates a part or section of a State highway route included within which is a county bridge the responsibility for the construction and maintenance of which is placed upon the Commonwealth by section eight hundred one of this act upon the opening of the new highway to vehicular traffic and the abandonment of the section of highway supplanted by the relocation as a State highway route the bridge located on the abandoned section of highway shall revert to the county and the subsequent maintenance and construction thereof shall become the obligation of the county if the section of highway is to remain for the accommodation of vehicular traffic If in the opinion of the secretary it is not necessary that such highway be continued as a public road he may remove or dispose of such county bridge or authorize it to be removed and disposed of by the county commissioners

(b) Bridges on Highways Essential to National Defense

Section 711 Taking over by State Whenever any Federal agency or department has designated any State highway or section thereof as essential to national defense the secretary may upon request of the United States military or naval authorities with the approval of the Governor take over for construction reconstruction maintenance or repair any bridge viaduct and other structure upon over or appurtenant to said State highway in any city of the third class borough incorporated town or township in the Commonwealth

The cost and expense of the construction reconstruction maintenance and repair of said bridges viaducts and appurtenant structures shall be paid in whole out of any moneys appropriated to the department or in part with the same moneys and any other funds appropriated to the Commonwealth by the Federal government for any highway purpose

Section 712 Bridges in Third Class Cities when Federal and Other Funds are Available Whenever Federal emergency funds and city or county funds are available therefor the department is hereby authorized to construct replace or repair bridges in cities of the third class whether such bridges are owned and maintained by such cities or by the counties in which located which bridges form connecting links on State highways which have been or may be designated by any Federal agency or department as essential to national defense No such bridge shall be constructed repaired or rebuilt without the consent of the public authorities responsible by law for the maintenance of such bridge

Section 713 Payment of Cost of Construction etc The cost and expense of construction replacement or repair of such bridges shall be paid in whole or in part from

Federal emergency funds made available for such purpose and where sufficient Federal emergency funds are not available to pay the entire cost of such construction replacement or repair the city in which such bridge is located or the county in case the bridge is owned and maintained by it shall provide and pay the balance thereof Except as hereinafter specifically provided in this act no construction replacement or repair costs or property damages shall be paid out of the Motor License Fund or out of any Federal aid appropriations made to the Commonwealth by the Federal government for the construction of State highways and bridges

Section 714 Property Damage Any damage sustained by reason of the condemnation of property for the construction replacement or repair of such bridges shall be paid by the city or county wherein such bridge is located or the city or county shall provide for the payment of such damages and shall enact any ordinance necessary to effect the condemnation of property for such construction replacement or repair

Section 715 Contracts Surveys etc Payment of Expenses The department shall have authority to advertise and receive bids for any project undertaken under the provision of section seven hundred twelve of this act and to make and carry out contracts and to do every other act necessary to carry out any project undertaken and is hereby authorized to make the necessary surveys and prepare the necessary plans specifications and estimates for such project and to furnish such employes as may be necessary to provide supervision inspection and preparation of estimates for payment the costs incident thereto to be paid out of moneys in the Motor License Fund Whenever the Federal government has approved such project and has indicated that it will reimburse the Commonwealth in full for its expenditures therefor from Federal funds other than Federal aid appropriations made to the Commonwealth for the construction of State highways and bridges the department may also pay construction replacement and repair costs out of the Motor License Fund in anticipation of such reimbursement by the Federal government

Section 716 Agreement with Federal City and County Authorities Contributions The secretary is hereby authorized to enter into agreements with the proper Federal authorities and with the authorities of cities of the third class and with the authorities of counties covering the construction replacement or repair of bridges as authorized by this act Any city or county with which such an agreement is made shall agree therein to pay to the State Treasurer before any contract is awarded as herein provided a sum stated and agreed upon in such agreement as the city's or county's share of the cost and said sum or sums when so paid shall be deposited by the State Treasurer in a special account in the Motor License Fund from which special account payments on the contract shall be made on proper requisition of the department If the initial amount deposited by any city or county is insufficient to pay the city's or county's share of any project the city or county shall make such additional deposits as may be necessary to pay the city's or county's total share of the cost and any balance remaining in such special account after payment of the final moneys to the contractor shall be repaid to the city or county upon proper requisition of the department

Section 717 Approval of Public Utility Commission If any bridge to be constructed replaced or repaired under the provisions of section eight hundred twelve of this act crosses the tracks of a public utility the department shall institute proceedings to secure the requisite approval of the Public Utility Commission of the Commonwealth of Pennsylvania

(c) Privately Owned Bridges Other Than Toll Bridges

Section 721 Acquisition Division of Responsibility Where a bridge other than a toll bridge forming part of a State highway or a continuation thereof or connecting two State highways shall be owned or controlled in whole or in part by any person partnership association or corporation it shall be lawful for the secretary with the approval of the Governor to enter into agreements with such owner for the acquisition of such bridge or bridges or for the division of responsibility for maintenance thereof under such fair and reasonable terms of payment as may be agreed upon Provided however That this section shall not apply to relieve any person partnership association or corporation from any obligation for the construction or maintenance of any such bridge under any agreement or order of court or any order of the Public Utility Commission heretofore or hereafter made

(d) Acquisition of Toll Bridges Generally

Section 731 Acquisition of Privately Owned Tollbridges Jointly with Counties The department in conjunction with any county or counties wherein any privately owned toll-bridge is located shall have power to purchase or take said bridges by the right of eminent domain at the expense of the Commonwealth and the county or counties when such bridge crosses a river and is located on a State highway route or connects a State highway route with a city or connects two or more counties or connects two or more State highway routes The cost of any bridge purchased or condemned hereunder shall be paid fifty per cent (50%) by the Commonwealth and the remaining fitfy per cent (50%) by the county or counties in equal proportions or in any other proportions agreed upon by the commissioners of the counties affected

The department and any such county or counties shall whenever they determine to acquire any such bridge ascertain or estimate the value thereof and shall in writing give notice of such valuation to the owner or owners thereof Such notice shall contain an offer to purchase such bridge at the valuation made by the department and such county or counties

Section 732 Appointment of Viewers Notice of Meeting In the event that the owner or owners of any such bridge refuse or neglect to accept such offer application shall be made by the Attorney General or by the owner or owners of any such bridge to the court of common pleas of the county in which such bridge is located or in the case of a bridge on the boundary line between two or more counties then in any of such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three discreet and disinterested freeholders to view such bridge and estimate the value thereof None of said freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when said viewers shall meet upon the property and view the same The viewers shall cause at least ten (10) days personal notice of the time and place of such first meeting to be given to the Attorney General the commissioners of the county or counties and to the owner or owners of such bridge if resident within said county If said owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither said owner nor any of said officers reside within said county or cannot be found therein notice of such first meeting shall be given as said court may direct

Section 733 Powers and Duties of Viewers The viewers having been duly sworn or affirmed faithfully and impartially to perform their duties shall at the time fixed for said first meeting proceed to ascertain as accurately as may be the value of such bridge and to that end may require the attendance of any person whose testimoney may be pertinent thereto and the production of any books and papers said viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when thereto required the court or any judge thereof shall upon application of said viewers or a quorum thereof make such order therein as may be necessary

Section 734 Report of Viewers Whenever said viewers shall have ascertained the value of said bridge they shall

prepare a full report of their labors Said report shall include a plan showing the location of said bridge Upon the completion of their report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days written notice of the time and place of such meeting shall be given to the department to the Attorney General to the commissioners of the county or counties and to the owner or owners of said bridge At the time and place mentioned in such notice said viewers shall meet and shall publicly exhibit their report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in said court

Section 735 Exceptions to Report Jury Trial Appeal Within thirty (30) days after the filing of the report the Commonwealth or any person interested may file exceptions thereto whereupon the court may confirm said report absolutely or modify it or refer it back to the same or to new viewers with like powers and duties as the former viewers

Within thirty (30) days after final action on said report by the court the Commonwealth or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by either party to the Supreme or Superior Court

Section 736 Costs Compensation of Viewers The cost of said condemnation proceedings including the court costs compensation of viewers and the advertising herein required shall be paid by the Commonwealth Each of said viewers shall receive a sum not exceeding five dollars ($5.00) for each day actually and necessarily employed in the performance of the duties herein prescribed

Section 737 Possession of Bridge Freeing of Tolls Use by Railroads and Railways As soon as the department the county or counties and said owners shall have agreed upon the price of any such bridge or as soon as the department and the county or counties shall have determined to acquire any such bridge by condemnation proceedings the department if funds sufficient for the purchase of the bridge are available shall at once take possession of such bridge in the name of the Commonwealth Toll charges on such bridge shall thereupon cease and such bridge shall thereafter be free to the traveling public under such rules and regulations as may be prescribed by the department Any railroad or railway having the use of any such bridge by lease or agreement at the time of its acquisition shall continue to pay to the Commonwealth the same rental charges and in the same manner as such charges were paid to the owner or owners of such bridge

Section 738 Interest on Purchase Price or Award Until the amount of such purchase price is paid to the owner or owners of such bridge interest shall be paid thereon at the rate of six per centum (6%) Interest at the same rate shall be paid on any award or verdict under condemnation proceedings from the time of taking such bridge until the termination of such proceedings by final decree of said court or of final decree on an appeal to the Supreme or Superior Court if any is taken

Section 739 Control Maintenance Repair Rebuilding Upon the acquisition of any such bridge by the Commonwealth and any county or counties the same shall remain in the charge and control of the department Such bridge shall thereafter be maintained by the Commonwealth shall be kept in constant repair and shall be rebuilt when destroyed The cost of such maintenance and repair shall be paid by the Commonwealth

(e) Approaches to Interstate Bridges in Cities of the First Class

Section 761 Contracts for Widening and Relocation at Joint Expense with City etc The secretary may enter into agreements with cities of the first class interstate joint commissions persons associations and corporations public or private for the sharing with the Commonwealth of the cost exclusive of property damages of widening such streets and relocating such highways as form part of the State highway system and constitute approaches to interstate bridges in cities of the first class Cities of the first class and interstate joint commissions are hereby authorized and empowered to enter into agreements with the secretary and with persons associations and corporations for the purposes of sharing the cost of widening said streets and relocating said highways exclusive of property damages

Cities of the first class and interstate joint commissions are further authorized and empowered to enter into agreements with each other and with persons associations and corporations for the purpose of sharing the cost of property damage direct and not merely consequential thereto in connection with the widening of said streets and relocating of said highways

Section 762 Change of Location Abandonment as State Highway Whenever it shall appear to the secretary that any part or portion of a State highway route or routes in a city of the first class which constitutes or constitute a part of the approaches to an interstate bridge are dangerous or inconvenient to the traveling public in their then location either by reason of width grade lines curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost to the Commonwealth A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located

After the relocation has been opened to traffic the secretary by notice to the local authorities may abandon as a State highway route all or any part of the section of highway between the termini of the relocation

(f) Rebuilding County Bridges

Section 771 County Bridge Defined The term "county bridge" as used herein shall mean all bridges maintained owned and controlled by the several counties and known as county bridges which now are or hereafter may be erected over and across the navigable rivers and such other streams as have been declared public highways by act of Assembly

Section 772 Duty of Department to Rebuild New Elevation or Site Whenever any county bridge is carried away or destroyed by flood or wind storm the department shall rebuild the same if and when the General Assembly shall have made a specific appropriation for such purpose whether or not such bridge has been previously rebuilt by the department

In order to facilitate public travel and eliminate grade crossings the department if the viewers appointed as hereinafter provided so recommend may rebuild such bridge and the necessary approaches thereto at a lower or higher elevation than the former bridge or may rebuild the same upon a new site Provided That the expenses to the State shall be limited to the sum required to construct a bridge of the dimensions and character of the old bridge destroyed or carried away and at the old site and elevation The department in preparing the plans and specifications shall determine the amount of such sum

Section 773 Agreements for Sharing Cost In rebuilding any county bridge and the aproaches thereto the department and any city county or railroad company or any two or more of them may enter into agreements for the joint payment in proportions to be agreed upon of the cost of such rebuilding of said bridge and the approaches

Section 774 Appointment of Viewers Notice to Attorney General Whenever any county bridge shall be carried away or destroyed by flood or wind storm the county commissioners of the county in which such bridge is located or when such bridge crosses the boundary line between two counties then the commissioners of both counties may

apply by petition to the court of common pleas of Dauphin County setting forth fully in said petition the location of such bridge the time when a bridge was first erected in the same location as a county bridge the time when the bridge was carried away or destroyed by flood or wind storm the character of the bridge so carried away or destroyed and the probable cost of replacing the same Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built

The Attorney General shall be given due notice of the time of filing the petition and the application for viewers and it shall be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

Section 775 View and Report Thereon The viewers so appointed after having been duly sworn to faithfully perform their duties shall proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed which it is proposed to replace the length of time since the first bridge was built on the same location as a county bridge the length of the bridge together with a recommendation of the viewers as to the kind of bridge needed and the probable cost thereof It shall also be the duty of the viewers to inquire whether the accommodation of the travelling public in the locality demands the rebuilding of said bridge

Whenever it appears to the viewers that the proper accommodation of the travelling public so demands they may recommend a larger bridge than the one carried away or destroyed to be constructed at the joint expense of the State and the county or counties in or between which the same is located

Section 776 Exceptions to Report Appeals Upon the filing of such report both the county and the Commonwealth shall have the right to file exceptions thereto at any time within thirty (30) days It shall be the duty of the court after full hearing by depositions or otherwise as the court may direct to determine all questions raised by the petition or exceptions To the final order of the court either the county or the Commonwealth shall have the right of appeal to the Supreme Court at any time within thirty (30)days

Section 777 Order to Rebuild Plans and Specifications etc. In case the report of the viewers or a majority of them is in favor of the erection of the bridge and the same is confirmed by the court the court shall order and decree such rebuilding Thereupon it shall be the duty of the department immediately to proceed and have prepared in conformity with the report of the viewers such plans and specifications of the proposed bridge as may be necessary and appoint a superintendent of construction and fix his compensation for said services

Section 778 Advertising for Bids Contract for Rebuilding Liability of Commonwealth Limited The department shall advertise for bids in not less than three daily newspapers two of which shall be published in the county or counties in which such bridge is located and the other one published in the State Capitol for a period of three (3) weeks In counties in which less than two daily newspapers are published the advertisement for bids shall be inserted in two weekly newspapers of the county or counties as the court may direct

The department shall let the contract for rebuilding such bridge to the lowest and best bidder It may reject any or all bids that may be submitted and may readvertise for the same in the manner aforesaid

Upon acceptance of any bid the department on behalf of the Commonwealth shall enter into a contract for rebuilding said bridge with such bidder under the advice and direction of the Attorney General

The department in the rebuilding of county bridges under this section shall not exceed in the aggregate the sum appropriated by the General Assembly for such purpose

Section 779 Collusive Bidding Penalty Any person for himself or acting as an agent for any association copartnership or corporation who shall do or permit any act which interferes with or prevents fair competition among bidders or submits a collusive bid or enters into collusion in the making or submission of bids or in obtaining the same for any such construction repairing or rebuilding of a county bridge shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment for the term of two (2) years or both at the discretion of the court

Section 780 Inspection of Bridge Action on Contract Every county bridge erected under contract with the Commonwealth shall be inspected by three (3) fit persons to be appointed by the court of common pleas of Dauphin County none of whom shall be residents of or property holders in the county wherein the bridge is located Such persons shall make report of the result of their inspection to said court

If the inspectors find that such bridge has been erected according to the contract for the erection of the same they shall so report and the bridge shall be approved by the court If the inspectors shall not approve of the bridge they shall report to the court what sum in their judgment ought to be deducted from the sum stipulated in such contract and thereupon the court shall grant a rule upon the builder or contractor to show cause against said report at the time and place specified in such rule After the service and return of such rule it shall be lawful for the builder or contractor to file a declaration or statement in the court of common pleas of Dauphin County upon the contract made by him with the Commonwealth and thereupon proceed to trial in due course in like manner as if an action has been commenced by him upon such contract against the Commonwealth

Section 781 Payments on Contracts Partial payments on contracts shall be made from time to time to the contractor as the work progresses based upon estimates made by the superintendent of construction setting forth the relative value of work done and by him approved at the time of estimate as compared with the total contract price All such estimates shall be approved by the department At no time before the completion of the work and final approval thereof by the court shall any payment or payments be made in excess of eighty per centum (80%) of the estimated value of work done and approved by the superintendent of construction If by the report of the inspectors it appears that said bridge has been built in conformity with the terms of the contract and specifications and such report is approved by the court payment shall be made of all the contract price not previously paid Upon approval of any estimate by the department or upon approval by the court of the report of the inspectors finding that the bridge has been built in conformity with the terms of the contract and specifications as the case may be it shall become the duty of the Auditor General to draw a proper warrant upon the State Treasurer in accordance with the foregoing payable out of the appropriation specifically made for such purpose

Section 782 Payments when Deductions Are Made If by the report of the inspectors it is made to appear that a deduction should be made from the contract price and such report is acquiesced in by the contractor or the amount of the contract price owing is finally determined by the court in the manner hereinbefore provided it shall be the duty of the Auditor General in like manner to draw a proper warrant for such sum as shall thus appear to be owing exclusive of any payments that have been previously made upon the State Treasurer in full satisfaction of the claims of the contractor or the same shall be fully paid by the department from funds made available for such purposes

Section 783 County Bridges on State Highways Whenever a county bridge is rebuilt under the provisions of this subdivision of this article and it is on the route of a State highway payment of the amount due by the State may be from the funds available for the construction of State highways

Section 784 Fees and Expenses The fees and expenses to be allowed the viewers and inspectors and the proper

charge for the preparation of the plans and specifications of such bridge and the superintending of construction of the same the cost of advertising cost of all legal proceedings and all other costs and expenses whatsoever shall be paid by the county or counties in which the bridge is located and the amount of the fees and expenses herein provided to be paid shall be fixed by the court according to the circumstances of the case upon notice to the county commissioners

Section 785 Maintenance and Repair of Rebuilt Bridges All bridges erected under the provisions of this subdivision of this article shall be maintained and at all times kept in good repair by the county in which the same may be located at its proper expense and in case such bridge is over any stream forming the boundary line between two counties the same shall be maintained and kept in repair at the joint expense of such counties

Article VIII

Intra-State Bridges and Tunnels

Section 801 Definitions As used in this article the following words and terms shall have the following meanings

(1) The word "bridge" shall be deemed to include all property rights easements and franchises relating thereto including approaches

(2) The word "improvements" shall mean such repairs replacements additions and betterments of and to a bridge or tunnel acquired by purchase or by condemnation as are deemed necessary to place it in a safe and efficient condition for the use of the public if such repairs replacements additions and betterments are ordered prior to the sale of any bonds for the acquisition of such bridge or tunnel

(3) The term "cost of bridge" or "cost of tunnel" as applied to a bridge or tunnel to be acquired by purchase or by condemnation shall include the purchase price or the amount of the award cost of improvements financing charges interest during any period of disuse before completion of improvements cost of traffic estimates and of engineering and legal expenses plans specifications and surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative expense and such other expenses as may be necessary or incident to the financing herein authorized and the acquisition of the bridge or tunnel and the placing of the bridge or tunnel in operation

(4) The term "cost of bridge" or "cost of tunnel" as applied to a bridge or tunnel to be constructed shall embrace the cost of construction the cost of all land property rights easements and franchises acquired which are deemed necessary for such construction financing charges interest during construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative expense and such other expenses as may be necessary or incident to the financing herein authorized and the construction of the bridge or tunnel and the placing of the bridge or tunnel in operation

(5) The word "commission" shall mean the State Bridge Commission of the Commonwealth which shall hereafter be known as the State Bridge and Tunnel Commission

(6) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this article

(7) The word "tunnel" shall mean any tunnel for whatsoever purpose constructed that is usable with or without re-boring as a vehicular tunnel for general highway purposes and shall include all property rights easements and franchises relating thereto including approaches

Section 802 Purchase of Bridges and Tunnels The commission is hereby authorized and empowered to acquire by purchase whenever it shall deemed such purchase expedient any toll bridge or bridges over rivers and navigable waters or any tunnel or tunnels which are within the Commonwealth or any such toll bridge or bridges or tunnel or tunnels partly constructed or any franchises easements permits or contracts for the construction of any such bridge or bridges or tunnel or tunnels upon such terms and at such prices as may be reasonable and can be agreed upon between the commission and the owner thereof title thereto to be taken in the name of the Commonwealth The commission shall issue bridge or tunnel revenue bonds of the Commonwealth as hereinafter provided to pay the cost of such acquisition

Section 803 Condemnation of Bridges or Tunnels and Property The commission whenever a reasonable price cannot be agreed upon is hereby authorized and empowered to acquire by condemnation any such bridge or bridges or tunnel or tunnels or interest or interests therein and any land rights easements franchises and other property deemed necessary or convenient for the improvement or the efficient operation of any property acquired or constructed under this act or for the purpose of constructing any bridge or tunnel or portion thereof hereunder or for securing right of way leading to any such bridge or its approaches or to any such tunnel in the manner hereinafter provided

In such event application shall be made by the commission acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which such bridge or tunnel is or is to be located or in the case of a bridge or tunnel on the boundary line between two or more counties then in any of such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three (3) disinterested freeholders to view such bridge or tunnel land rights easements or franchises and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when the viewers shall meet upon the property and view the same

The viewers shall cause at least ten (10) days personal notice of the time and place of such meeting to be given to the Attorney General and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such bridge or tunnel lands rights easements or franchises They may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary

Whenever the viewers shall have ascertained the value of the bridge or tunnel land rights easements or franchises they shall prepare a full report of their labors The report shall include a plan showing the location of or the proposed location of the bridge or tunnel Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days written notice of the time and place of such meeting shall be given to the chairman of the commission to the Attorney General and to the owner or owners of the bridge or tunnel At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty (30) days after the filing of the report in the court the commission

acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers

Within thirty (30) days after final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed

Title to any property condemned by the commission shall be taken in the name of the Commonwealth The Commonwealth shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings and shall in no event pay for the same except from the funds provided by the sale of bridge or tunnel revenue bonds hereinafter authorized In any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such order as may be just to the Commonwealth and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage to be sustained by reason of the failure of the Commonwealth to accept and pay for the property but such undertaking or security shall impose no liability upon the Commonwealth except such as may be paid from the funds provided by the sale of bridge or tunnel revenue bonds hereinafter authorized

Section 804 Improvement of Bridges and Tunnels Acquired It shall be the duty of the commission at or before the time any such bridge or tunnel shall be acquired by purchase or by condemnation to determine what repairs replacements additions or betterments will be necessary to place the bridge or tunnel in safe and efficient condition for the use of the public and to cause an estimate of the cost of such improvement to be made The commission shall order such improvements before the sale of any bridge or tunnel revenue bonds hereinafter authorized for the acquisition of such bridge or tunnel and the cost of such improvements shall be paid for out of the proceeds of such bonds

Section 805 Construction of Bridges and Tunnels The commission is hereby authorized and empowered to construct whenever it shall deem such construction expedient any toll bridge or bridges over any river or navigable waters or any tunnel or tunnels within the Commonwealth The cost of such construction shall be paid solely by means of or with the proceeds of bridge or tunnel revenue bonds hereinafter authorized The commission is hereby authorized to purchase within this Commonwealth solely from the proceeds of such bonds such lands structures rights of way franchises easements and other interests in lands including lands under water and riparian rights of any person copartnership association railroad or other corporation or municipality or political subdivision deemed necessary for the construction of any such bridge or tunnel upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof and to take title thereto in the name of the Commonwealth

Section 806 Bridge and Tunnel Revenue Bonds The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of bridge or tunnel revenue bonds of the commission for the purpose of paying the cost as hereinabove defined of any one or more such bridges or tunnels which resolution shall recite an estimate of each issue of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment Such bonds shall bear interest at not more than six per centum (6%) per annum payable semi-annually shall mature at such time or times not more than forty (40) years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of the bonds including the interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth Bonds issued by the commission shall be signed by the chairman of the commission under the seal of the commission and attested by the secretary of the commission and the coupons attached thereto shall bear the facsimile signature of the chairman of the commission All bonds issued under this act shall contain a statement on their face that the Commonwealth shall not be obligated to pay the same or the interest thereon except from the revenues of such bridges or tunnels In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds such signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery All such bonds shall be and shall have and are hereby declared to have all the qualities and incidents of negotiable instructions under the negotiable instruments law of the Commonwealth Such bonds and the income thereof shall be exempt from all taxation within the Commonwealth Provisions may be made for the registration of any of the bonds in the name of the owner as to principal alone and also as to both principal and interest

The commission may sell such bonds in such manner and for such price as it may determine to be appropriate for the accomplishment of the purposes of this act taking into consideration the financial responsibility of the purchaser the terms and conditions of the purchase and especially the availabililty of the proceeds of the bonds when required for payment of the cost of the bridges or tunnels Such bonds shall be sold for not less than a price which computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values will show a net return of six per centum (6%) per annum to the purchaser upon the amount paid therefor Such bonds may be sold at private sale without advertisement The proceeds of such bonds shall be used solely for the payment of the cost of the bridges or tunnels and shall be checked out by the chairman of the commission under such restrictions if any as such commission may provide

If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the bridge or bridges or tunnel or tunnels additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the trust indenture hereinafter mentioned shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same bridge or bridges or tunnel or tunnels If the proceeds of bonds issued for any bridge or bridges or tunnel or tunnels shall exceed the cost thereof the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of said bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required hereby

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons

carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 807 Lien upon Bond Proceeds All moneys received from any bonds issued hereunder shall be applied solely to the payment of the cost of the bridges or tunnels or to the appurtenant sinking fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 808 Trust Indenture In the discretion of the commission any issue of such bonds may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth but no such trust indenture shall convey or mortgage any bridge or tunnel or any part thereof Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition construction improvement maintenance operation repair and insurance of the bridges or tunnels the custody safeguarding and application of all moneys The trust indenture may also provide that the bridges or tunnels shall be acquired constructed and paid for under the supervision and approval of consulting engineers employed or designated by the commission and satisfactory to the original purchasers of the bonds issued therefor their successors assigns or nominees who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the bridges or tunnels or other moneys pertaining thereto be satisfactory to such purchasers successors assigns or nominees Such indenture may set forth the rights and remedies of the bondholders and trustee restricting the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations Except as in this act otherwise provided the commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the bridges or tunnels to such officer board or depository as it may determine for the custody thereof and for the method of disbursement thereof with such safeguards and restrictions as it may determine All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repairs of the bridge or bridges or tunnel or tunnels affected by such indenture

Section 809 Bridge and Tunnel Tolls The commission shall fix charge and collect tolls for transit over such bridges or through such tunnels Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the bridge or bridges or tunnel or tunnels for which a single issue of bonds is issued as to provide a fund sufficient to pay such issue of bonds and the interest thereon and to provide an additional fund to pay the cost of maintaining repairing and operating such bridge or bridges or such tunnel or tunnels subject however to any applicable law or regulation of the United States of America now in force or hereafter to be enacted or made The tolls from the bridge or bridges or tunnel or tunnels for which a single issue of bonds is issued except such part thereof as may be necessary to pay such cost of maintaining repairing and operating during any period in which such cost is not otherwise provided for during which period the tolls may be reduced accordingly shall be set aside each month in a sinking fund which is hereby pledged to and charged with the payment of (a) the interest upon such bonds as such interest shall fall due (b) the necessary fiscal agency charges for paying bonds and interest and (c) the payment of such bonds Such sinking fund shall be a fund for all such bonds without distinction or priority of one over another Prior to the issuance of the bonds the commission may provide by resolution or by such trust indenture for the use of the sinking fund or any part thereof in the purchase of any of the outstanding bonds payable therefrom at the market price thereof but not exceeding the price if any at which the same shall at the next interest date be payable or redeemable and all bonds redeemed or purchased shall forthwith be cancelled and shall not again be issued The moneys in the sinking fund less a reserve for payment of not exceeding one (1) year's interest on the bonds if not used within a reasonable time for the purchase of bonds for cancellation as above provided shall be applied to the redemption of bonds by lot at the redemption price then applicable

Section 810 Cessation of Tolls When the particular bonds issued for any bridge or bridges or any tunnel or tunnels and the interest thereon shall have been paid or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose the commission shall cease to charge tolls for use of such bridge or bridges or such tunnel or tunnels and thereafter such bridge or bridges or such tunnel or tunnels shall be free unless tolls are required for maintaining repairing and operating such bridge or bridges or such tunnel or tunnels due to the lack of funds from other sources than tolls

Section 811 Action by Trustee and Bondholders Any holder of any such bonds or any of the coupons attached thereto and the trustee if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the Commonwealth or by the commission or any officer thereof including the fixing charging and collecting of tolls for transit over such bridges or through such tunnels

Section 812 Contributions The commission in addition to the revenues which may be received from the sale of bridge and tunnel revenue bonds and from the collection of tolls and other bridge and tunnel revenues derived under the provisions of this act shall have authority to receive and accept contributions of either money or property or other things of value to be held used and applied for the purposes in this act provided and to receive accept grants from the United States or any of its agencies for such purposes

Section 813 Competing Bridges Ferries and Tunnels No bridge for the use of the travelling public located as provided in section nine hundred two of this act shall hereafter be constructed and operated by any county municipal corporation or poritical subdivision of the Commonwealth or by any person copartnership association or corporation or no franchise shall hereafter be granted for the operation of a ferry within five (5) miles of any toll bridge nor shall any tunnel be so constructed and operated within five (5) miles of any toll tunnel for the acquisition or construction of which bridge or tunnel revenue bonds shall have been authorized except under a written permit granted by the commission No such permit shall be granted by the commission until it shall ascertain by an investigation including a hearing upon such notice and under such rules as the commission may prescribe that there is an urgent public need for the operation of such bridge or such ferry or such tunnel and that its operation will not affect the revenues of any

such toll bridge or tunnel of the Commonwealth so as to impair the security of any bridge or tunnel revenue bonds issued for the acquisition or construction of such bridge or tunnel

Section 814 General Powers of State Bridge and Tunnel Commission The above enumeration of powers and duties of the commission shall not be construed as a limitation upon the general powers or duties of said commission It shall be the duty of the commission in addition to the powers and duties enumerated herein to do and perform any and all things and acts necessary in the construction or acquisition maintenance and operation of any bridge or tunnel to be constructed or acquired under the provisions of this article to the end that such bridge or bridges or tunnel or tunnels may become and be operated free of tolls as early as possible and practicable subject only to the express limitations of this act and the limitations of other laws and constitutional provisions applicable thereto

Article IX

Special Provisions Affecting Local Authorities

Section 901 Assistance and Information to Local Officials County Highway Maps The department shall investigate and determine upon the various methods of road construction best adapted to the various sections of the State and establish standards for the construction and maintenance of highways in various sections taking into consideration the topography of the country the natural conditions and the character and availability of road building material and the ability of the townships and counties to build and maintain roads under the provisions of this act The department may at all reasonable times be consulted by county city borough incorporated town or township officers having authority over highways and bridges and shall when requested advise and give information to such officers relative to the construction repairing alteration and maintenance of highways and bridges The department shall at all times lend its aid in promoting road improvement throughout the State and may prepare models and pictures for exhibition and exhibit the same at such times and at such places as in its judgment shall be deemed advisable and in addition thereto the department may also compile all useful information relative to road building and maintenance which it shall disseminate by means of printed bulletins issued at such times and in such numbers as it shall deem best The department shall publish maps showing complete road surveys of each county which shall be kept on sale in the department at cost of publication Such maps shall be published at such times and in such form as shall be determined by the secretary

Section 902 Certification of Reports of Viewers Laying out or Vacating Public Roads Upon the confirmation by the court of quarter sessions of the report of any jury of view laying out or vacating a public road it shall be the duty of the clerk of said court to immediately certify a copy of said report with the accompanying draft and the action of the court on the report of the viewers to the department For such services the clerk of the court shall receive from the department the sum of three dollars and fifty cents ($3.50) for each certification

Section 903 Surveys Plans Bids where County Pays Expense of Highways In all cases where any county is authorized by law to appropriate and expend moneys for the improvement or maintenance of any public highways either in full payment thereof or in payment thereof in conjunction with any township borough or incorporated town the county commissioners of such county may make execute and deliver all necessary agreements and contracts for such improvement or maintenance with the lowest responsible bidder and to that end the secretary shall be authorized to make all necessary surveys and plans and to advertise for receive and open bids therefor in the manner now provided in the case of the improvement of State highways

Section 904 Material Equipment and Supplies from Political Subdivisions Any political subdivision of the Commonwealth is authorized to sell lease donate or otherwise transfer to the Commonwealth any material equipment or supplies appropriate for use in the construction or maintenance of the highways of this Commonwealth

Section 905 Expenditures and Indebtedness by Counties for Property Damage Improvement etc of State and Other Highways Any county may appropriate and expend moneys and incur such indebtedness and issue bonds or other obligations therefor as may be necessary to pay all or any portion of the damages to property resulting from any widening or relocation made with the consent of the county or to pay for the improvement and maintenance of any State highway or any public highway including sidewalk construction within its proper limits Provided That no improvement can be made to any State highways until the same has been submitted to and approved by the department And provided further That no county shall appropriate and expend any of such moneys for the improvement and maintenance of any public highway other than a State highway or county road where the highway is to be improved jointly by the township or borough or town or city and county until and unless the supervisors or commissioners of the township or council of the city or borough or town in which the highway proposed to be improved lies shall first petition the county commissioners of the county representing that any highway or section thereof lying within such township or borough or town or city on which it is proposed that said money shall be expended is in need of reconstruction or repair and particularly describing said highway and until and unless the said application has been submitted to and approved by the department And provided further That when the improvement and maintenance of any public highway in the county is desired by the county without the intervention of the township or borough or town or city the commissioners of said county may make application for approval direct to the department

Section 906 Division of Responsibility between Commonwealth and Local Authorities Whenever there is a division of responsibility between the Commonwealth and any county city borough town or township for the construction or maintenance of any portion of the width of a public highway which forms a part of a State highway route or the local authorities of such county city borough town or township are responsible for the construction or maintenance of structures which form a part thereof it shall be lawful for the local authorities and the department to provide by agreement that the department may in the discretion of the secretary construct or maintain with its own forces the entire width of such highway or any structures forming a part thereof which are the responsibility of the local authorities Such agreements shall provide for the reimbursement of the Commonwealth by the local authorities for any and all moneys expended by the department in the construction and maintenance of any structures or portions of the width of the highway for which the local authorities are responsible

Section 907 Advertising and Bids for Construction in Conjunction with Work by Department of Highways It shall also be lawful for the local authorities and department to provide by agreement that the department may advertise and receive bids for the construction of any part or portion of a highway or any structure forming part thereof whenever in the judgment of the secretary such construction may be done in conjunction with construction by the department Such advertising when done in accordance with the laws applicable to advertising for bids by the department shall be the only advertising necessary any law to the contrary notwithstanding

Section 908 Department of Highways to Receive Bids etc When any work is to be done by contract as provided by this act the department may receive bids and award the contract for and on behalf of the local authorities and thereafter may supervise the performance of the work provided for by the contract and forward estimates to the local authorities for payment

Section 909 Termination of Agreements for Maintenance Any agreement for maintenance entered into under the provisions of section nine hundred six of this act may be terminated by either party upon three (3) months written notice to the other provided that such termination shall not affect any liability incurred under the agreement up to the effective date of its termination

Section 910 Assessments against Abutting Property Any sum or sums which are expended by local authorities as provided by sections nine hundred six to nine hundred nine of this act may be assessed and collected from the abutting property owners as provided by law

Section 911 Additional Width of State Highways by Counties Townships and Boroughs Whenever a State highway is constructed and the State pays a portion of the cost and the county or township or borough pays a portion of the cost and it is deemed advisable to widen the State highway beyond the width as laid out and ordered by the secretary or other body having authority over the same the county and township or borough jointly or the township or borough may increase the width of the State highway with consent of the secretary or other body having charge of the construction of said State highway The cost of such additional width shall be borne jointly by the county and township or borough or wholly by the said township or borough as the case may be Authority is hereby given the several counties through their commissioners and the several townships and boroughs through their proper officers to enter into agreement providing for the additional width of the State highway in accordance herewith Such additional width shall be constructed under the supervision of the department and according to its plans and specifications

Article X

Commonwealth Receipts and Expenditures Federal Aid

Section 1001 Moneys Received Paid into Motor License Fund All moneys received by the Commonwealth under any provision of this act shall be paid into the Motor License Fund in the State Treasury

Section 1002 Expenditures from Motor License Fund Except as otherwise in this act specifically provided all expenditures authorized by this act to be made by the Commonwealth shall be paid out of that portion of the Motor License Fund which has been or may be specifically appropriated and available to the department

Section 1003 Highway Appropriation All money at any time appropriated for the use of the department for the improvement and maintenance of State Highways shall always remain for the use of the department until the same is entirely used and applied to the purpose or purposes for which it was appropriated

Section 1004 Aid under Federal Highway Acts The secretary shall enter into all necessary contracts and agreements with the proper agencies of the government of the United States and shall do all other things necessary and proper in order to obtain the benefits afforded under the provisions of the act of Congress approved the eleventh day of July one thousand nine hundred sixteen entitled "An act to provide that the United States shall aid the States in the construction of rural postroads and for other purposes" and its supplements and amendments or any other act of Congress providing Federal aid for highway purposes

Section 1005 Federal Grants for Highway Construction and Related Projects The department is hereby authorized to accept grants of funds from the President of the United States or other Federal agency for the construction of public highways and related projects Such money shall be held by the State Treasurer as custodian for the department and shall be paid out on requisition of the department without further appropriation If required by the Federal government the Department of Property and Supplies shall provide the necessary bonds for the State Treasurer in his capacity as custodian

Where any highway or bridge which is not a part of the State highway system of the Commonwealth has been or may be designated to be improved with funds received from the Federal government the department shall have all of the powers and authority in the relocation widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking property in the relocation widening or construction of any such highway shall be ascertained in accordance with the provisions of this act applicable to the ascertainment of damages in relocating widening or constructing State highways Such damages when ascertained shall be paid by the county or political subdivision or both as may be agreed upon between the political subdivision and county No work shall be undertaken until the county or political subdivision or county and political subdivision affected by the liability for damages shall have agreed thereto

Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by political subdivisions or local authorities the advertisement by the department in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

The department shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this act shall in anywise diminish any authority or powers conferred on the department by this act

Article XI

Repeals

Section 1101 Specific Repeals The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

(1) Section twenty-one of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" absolutely

(2) Sections two and three of the act approved the twenty-third day of April one thousand nine hundred nine (P. L. 142) entitled "An act requiring all petitions for the laying out or vacation of a public road to fix definitely the points of beginning and ending and requiring the clerk of the court of quarter sessions in any county to certify the report of the jury of view to the State Highway Department" absolutely

(3) Section one of the act approved the twenty-seventh day of April one thousand nine hundred nine (P. L. 201) entitled "An act authorizing counties townships or boroughs to widen State highways and validating agreements heretofore made for widening State highways and the payment of the cost therefor" absolutely

(4) Sections seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight thirty thirty-one thirty-two thirty-four thirty-five thirty-six thirty-seven thirty-eight and thirty-nine of the act approved the thirty-first day of May one thousand nine hundred eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense

of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" absolutely

(5) The act approved the fifth day of June one thousand nine hundred thirteen (P. L. 417) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act'" absolutely

(6) The act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 491) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' providing for constructing reconstructing repairing or maintaining certain spurs or branch roads" absolutely

(7) The act approved the seventh day of July one thousand nine hundred thirteen (P. L. 687) entitled "An act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abandoned or that have not been built upon for the use of the State Highway Department for the purpose of locating and

constructing State Highways and providing a method of condemnation procedure" absolutely

(8) The act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 235) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' and further providing that the State Highway Commissioner and the several counties townships boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State highway or portion thereof in the same manner as a State-aid highway and authorizing counties townships boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof and making valid all such contracts heretofore made such highway to remain a State highway" absolutely

(9) The act approved the sixth day of July one thousand nine hundred seventeen (P. L. 724) entitled "An act authorizing the Highway Commissioner to use lease or sell toll-collectors' residences or offices or other property acquired by the purchase or condemnation of any turn-pike or toll-road" absolutely

(10) The act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 814) entitled "An act providing for the employment of prisoners or inmates of penitentiaries prisons reformatories and reform schools by the State Highway Department prescribing duties of the State Highway Commissioner and of the wardens sheriffs and superintendents in connection therewith providing methods of payment for such employment and the conditions relative thereto and extending the provisions of this act to a county the limits of which coincide with the limits of a city of the first class" absolutely

(11) The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1041) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' providing that the State Highway Commissioner may take over as a part of the system of State highways any road leading from a State highway to any State property maintained as an historical park or used for military purposes" absolutely

(12) The act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 450) entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases" absolutely

(13) The act approved the ninth day of July one thousand nine hundred nineteen (P. L. 821) entitled "An act providing for the construction and maintenance of

roads for travel for horses whenever certain roads and highways shall be constructed rebuilt and improved by the State Highway Department" absolutely

(14) The act approved the twenty-ninth day of March one thousand nine hundred twenty-three (P. L. 47) entitled "An act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department" absolutely

(15) The act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 761) entitled "An act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges the procedure therefor the payment of a portion of the cost thereof in certain cases by counties cities and railroads and the maintenance thereof when completed by the counties" absolutely

(16) The act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 801) entitled "An act authorizing the State Highway Department the Public Service Commission counties cities boroughs and townships to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view" in so far as it applies to State highways

(17) The act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 35) entitled "An act relating to the allocation of moneys to the different counties by the Department of Highways for the construction of highways providing a method to compel the county commissioners to apply for such moneys and extending the time for filing applications for money allocated but unexpended prior to the approval of this act" absolutely

(18) Section one of the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 187) entitled "An act authorizing county commissioners to make execute and deliver agreements and contracts for the improvement or maintenance of certain highways involving the expenditure of county money alone or in conjunction with that of any township borough or incorporated town authorizing the Secretary of Highways to make surveys and plans and to advertise for receive and open bids therefor in the manner now provided in the case of the improvement of State Highways and validating all agreements or contracts heretofore entered into in accordance with the provisions hereof" absolutely

(19) The act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 360) entitled "An act conferring on the Department of Highways power to enter upon private property and open and maintain drainage channels along roads or highways constructed at the expense of the Department of Highways or under its supervision and providing penalty for interference with such drains or ditches and providing for the payment of damages" absolutely

(20) The act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 367) entitled "An act providing for the improvement or repair by the Department of Highways of any portion of a road or highway lying within the area of State forest lands which is deemed necessary to the development protection or use by the public of any such forest lands now possessed or hereafter acquired by the Commonwealth and providing for the expense to be borne by the Commonwealth or by the Commonwealth county and township upon such terms and conditions as may be mutually agreed upon" absolutely

(21) The act approved the first day of May one thousand nine hundred twenty-five (P. L. 441) entitled "An act authorizing the Secretary of Highways of the Commonwealth of Pennsylvania to accept on behalf of the Commonwealth certain roads heretofore ceded to the United States of America and located within the limits of the National Park at Gettysburg designating the status of the same as State highways county or township roads or borough streets and providing for their construction reconstruction and maintenance by the State county township or borough" absolutely

(22) The act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 620) entitled "An act empowering the Department of Highways in conjunction with any county or counties to acquire and maintain certain toll-bridges within the Commonwealth and making an appropriation" absolutely

(23) The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 704) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" absolutely

(24) The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 714) entitled "An act prohibiting the placing of any sign banner or advertising matter of any kind whatsoever on or across any public road or highway or on or across any structure within the legal limits of any public road or highway without the written consent of the authorities responsible for the maintenance of such public road or highway and declaring the placing of any sign or banner in violation of this act to be a public nuisance and authorizing its removal with or without notice and providing penalty" in so far as it applies to State highway

(25) The act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" absolutely

(26) The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" absolutely

(27) The act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 677) entitled "An act to provide that where the Department of Highways has heretofore acquired or shall hereafter acquire by condemnation purchase or otherwise the abandoned right-of-way of a canal railroad or turnpike company to form a part of a State highway route and any part thereof is located within the limits of any borough the part located within the borough shall be taken and deemed to be a borough street without any action on the part of the borough or any of its representatives to either accept dedicate or open it as such and making such boroughs responsible for any damages occasioned by such taking within their limits" absolutely

(28) The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" absolutely

(30) The act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) en-

titled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" absolutely

(31) The act approved the eleventh day of May one thousand nine hundred twenty-seven (P. L. 962) entitled "An act authorizing the Secretary of Highways with the approval of the Governor and the commissioners of the county affected to relocate roads or highways where an application for the construction of said road has been filed in accordance with the provisions of the act of June twelfth one thousand nine hundred and nineteen (P. L. 450) as amended providing for the vacation of the original road or section thereof under certain conditions and restrictions and providing for the payment of damages to abutting property owners incurred as a result of such relocation" absolutely

(32) The act approved the tenth day of April one thousand nine hundred twenty-nine (P. L. 478) entitled "An act conferring authority on the Department of Highways or any county or township to enter upon private property adjacent to any public road or highway and place thereon snow fence between November first and April first of the succeeding year providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property and repealing certain acts" except in so far as it applies to the Pennsylvania Turnpike.

(33) The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1056) entitled "An act providing for the Commonwealth to share in the cost of maintaining township reward roads" absolutely

(34) The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1062) entitled "An act providing for assistance by the Commonwealth in the maintenance of township reward roads and making an appropriation out of the Motor License Fund for such purposes" absolutely

(35) The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1528) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highways when constructed shall become a part of the system of State highways of the Commonwealth" absolutely

(36) The act approved the seventh day of May one thousand nine hundred twenty-nine (P. L. 1578) entitled "An act authorizing the Secretary of Highways to establish and maintain live snow breaks along or adjacent to State highways on lands heretofore or hereafter acquired by the county" absolutely

(37) The act approved the seventh day of May one thousand nine hundred twenty-nine (P. L. 1586) entitled "An act prohibiting the discharge of sewage and all drainage except surface drainage on or within the legal limits of any public highway providing for the blocking or removal of sewer outlets within the limits of public roads declaring such outlets to be a public nuisance and abatable as such conferring jurisdiction and providing penalties and repealing certain acts" in so far as it applies to State highways

(38) The act approved the ninth day of May one thousand nine hundred twenty-nine (P. L. 1702) entitled "An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing requiring boroughs cities and towns to notify the Department of Highways of the creation and discontinuance of certain detours providing penalties for removing destroying defacing signs erected for warning or detour purposes and for driving on over or across highways which are closed by the proper persons or authorities except in certain cases further providing that the authorities responsible for the maintenance of highways which have been damaged or their agents or contractors shall have the right to recover the amount of such damages from the person or persons responsible in addition to the penalties herein provided and repealing certain acts" in so far as it applies to State highways

(39) The act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 147) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the Motor License Fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the Motor License Fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" absolutely

(40) The act approved the first day of June one thousand nine hundred thirty-one (P. L. 301) entitled as amended "An act providing for the acquisition construction improvement operation and maintenance of bridges over rivers and navigable waters and of tunnels for highway purposes within the Commonwealth authorizing the issuance of bridge and tunnel revenue bonds free from taxation and payable solely from bridge or tunnel earnings to pay the cost of such bridges and tunnels and improvements thereof providing for the collection of bridge and tunnel tolls for the payment of such bonds and for the cost of maintenance operation and repair of the bridges and tunnels constituting such bonds legal investments in certain instances prescribing conditions upon which such bridges and tunnels shall become free bridges and tunnels conferring powers and imposing duties on the State Bridge and Tunnel Commission providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation" absolutely

(41) The act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 478) entitled "An act authorizing municipal subdivisions of the Commonwealth to convey or transfer to the Commonwealth any material equipment or supplies appropriate for use in the construction or maintenance of certain highways" absolutely

(42) Sections sixty-nine seventy seventy-one and seventy-two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" absolutely

(43) The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 673) entitled "An act conferring on the Department of Highways the right to enter upon private property adjacent to highways or bridges under the control and supervision of the said department for the purpose of changing or protecting existing stream channels in order to protect said highways or bridges in a proper manner providing for the approval of said changes by the Department of Forests and Waters and providing for the ascertainment and payment of damages occasioned thereby" absolutely

(44) Sections four five six seven eight nine ten eleven twelve and thirteen of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" absolutely

(45) The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 920) entitled "An act providing for the relocation and change of width grades and lines of State highways in boroughs by the Secretary of Highways with the approval of the Governor and commissioners of the proper county and for the payment of damages occasioned thereby by the county and repealing certain acts" absolutely

(46) The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1369) entitled "An act establishing certain State-aid highways and concrete township reward roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act and repealing an act" absolutely

(47) Section three of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1387) entitled "An act relieving canals corporations owning any canals or other artificial waterways constructed by the Commonwealth as parts of its public works from the obligation to maintain the same for transportation purposes under certain conditions and authorizing such corporations to use sell or lease the waters of such canals and waterways for domestic manufacturing commercial and other lawful purposes and to use sell lease or otherwise dispose of the whole or any part of the lands occupied by such canals or waterways and the property appurtenant thereto and authorizing the Department of Highways to acquire by gift all or any part of such lands and to sell or otherwise dispose of all or any part of such lands as shall not be needed for highway purposes" absolutely

(48) The act approved the seventh day of April one thousand nine hundred thirty-three (P. L. 27) entitled "An act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor" in so far as it applies to State highways

(49) The act approved the fourth day of May one thousand nine hundred thirty-three (P. L. 277) entitled "An act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" absolutely

(50) The act approved the first day of June one thousand nine hundred thirty-three (P. L. 1410) entitled "An act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation" absolutely

(51) The act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" absolutely

(52) The act approved the second day of January one thousand nine hundred thirty-four (P. L. 173) entitled "An act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and political subdivisions as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities" absolutely

(53) The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 805) entitled as amended "An act providing for the acquisition and possession of occupied property structures and dwelling houses condemned for highway purposes and providing a method of procedure" absolutely

(54) The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 945) entitled "An act authorizing the Department of Highways to assume all or any part of the property damages occasioned in the elimination of grade crossings or in the alteration or abolition of existing crossings on State highways in townships or boroughs when the Federal Government is paying all of the costs of construction authorizing agreements with townships boroughs counties and railroad companies and making an appropriation" absolutely

(55) The act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 393) entitled "An act conferring on the Department of Highways power to enter upon private property for the purposes of making surveys of proposed highway improvements providing for the payment of damages and providing penalty for interference" absolutely

(56) The act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" absolutely

(57) The act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 547) entitled "An act authorizing the Secretary of Highways to abandon portions of State highway routes within the limits of State parks or Federal Resettlement projects under certain conditions" absolutely

(58) Sections four five six seven eight nine ten eleven twelve sixteen seventeen and eighteen of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corpora-

tions to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating moneys in the Motor License Fund for the purposes of this act" absolutely

(59) The act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 617) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to enter into agreements with private owners of bridges other than toll bridges forming part of a State highway or a continuation thereof or connecting two State highways for the acquisition of such bridges or for the division of responsibility for such maintenance thereof" absolutely

(60) The act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1960) entitled "An act providing for the construction reconstruction maintenance and repair of sidewalks at dangerous places along State highways by the Department of Highways and making an appropriation from the Motor License Fund" absolutely

(61) The act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2275) entitled "An act to promote safety for the traveling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways and the furnishing to said department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties" absolutely

(62) The act approved the thirteenth day of October one thousand nine hundred thirty-eight (P. L. 79) entitled "An act authorizing the Secretary of Highways to change the location of State Highway routes in cities of the first class constituting part of the approaches to interstate bridges including the terminal points thereof authorizing the abandonment of such relocated sections of State highways authorizing the Secretary of Highways to enter into agreements with cities of the first class interstate joint commission persons associations and corporations for the sharing of the cost exclusive of property damages of widening streets and relocating highways forming part of the State highway system and constituting approaches to interstate bridges authorizing cities of the first class interstate joint commissions persons associations and corporations to enter into agreements with each other for the sharing of the cost of property damages direct and not merely consequential thereto in connection with the widening of said streets and relocating said highways and with the Secretary of Highways and each other for the sharing of the cost of widening said streets and relocating said highways exclusive of property damages and making an appropriation" absolutely

(63) The act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 468) entitled "An act authorizing the Department of Highways with the approval of the Governor to lease from the General State Authority any bridge and road project constituting a connecting link across a river between two existing State highways providing for the operation of such bridge as a toll bridge and appropriating moneys from the Motor License Fund for the payment of rentals under such lease and for the operation and maintenance of such bridge and road project" absolutely

(64) The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 621) entitled "An act authorizing the Secretary of Forests and Waters to utilize or transfer to the Department of Highways canal properties or parts thereof acquired by the Department of Forests and Waters and in connection with such use to sell waters from such canal" in so far as it confers any powers or imposes any duties on the Secretary of Highways

(65) The act approved the nineteenth day of June one thousand nine hundred forty-one (P. L. 145) entitled "An act authorizing the Department of Highways to take over bridges viaducts and other structures on State highways for the purpose of construction reconstruction maintenance and repair thereof when such highways are designated as essential National Defense Highways" absolutely

(66) The act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 420) entitled "An act authorizing the Secretary of Highways to lengthen or shorten State highway routes under certain conditions and providing for the payment of damages" absolutely

(67) The act approved the twenty-second day of April one thousand nine hundred forty-two (P. L. 57) entitled "An act authorizing the Department of Highways to construct replace or repair bridges in cities of the third class whether such bridges are owned and maintained by such cities or by the counties in which located which form connecting links on State highways necessary for National defense in cases where Federal funds and city or county funds are available for such purposes and authorizing the Secretary of Highways to enter into agreements with the proper Federal authorities and the authorities of cities of the third class or counties covering the construction replacement or repair of such bridges and making an appropriation" absolutely

(68) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 460) entitled "An act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships boroughs incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover" absolutely

(69) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 461) entitled "An act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled 'An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways' by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established" absolutely

(70) The act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain county highways and requiring their construction repair and maintenance as such" absolutely

Section 1102 General Repeal All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, there is no question on the part of the members on this side of the Senate relative to House Bill No. 411, except that its contents can not

properly have been studied by the various members of the Senate, and we therefore take the position that we will leave it entirely up to the individual members who may have had an opportunity to study it. Personally I have not had that opportunity and I feel that the subject is one that should have careful study, and I therefore intend personally to vote "no." However, it is a matter of individual opinion or conscience.

Mr. HEYBURN. Mr. President, for the information of the Minority Leader, there are several members on this side of the aisle who have not made up their minds about this bill either, but the Governor of the state has promised that he will have this bill checked very carefully by the Department of Justice within the thirty day period, and, if it is not in proper form, he will veto it. I think it is only fair to tell that to this body—as a matter of fact, I have not had a chance to read it too much myself, but it will be checked by the Department of Justice.

Mr. DENT. Thank you very kindly. I believe the members will use their own judgment in the matter.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Farrell,	Klein,	Thomas,
Becker,	Geltz,	Leader,	Troutman,
Berger,	Gourley,	Letzler,	Tyler,
Blass,	Heyburn,	Mallery,	Wade,
Bowers,	Holland,	Margie,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Chapman,	James,	Scarlett,	Wilson,
Crider,	Jaspan,	Stevenson,	Woodward,
Crowe,	Jones,	Taylor,	Tallman,
Ealy,	Kephart,		Presiding Officer

NAYS—7

Coleman,	Haluska,	Rosenfeld,	Woodring,
Cox,	McCreesh,	Snowden,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE BILL No. 936 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 936, on page 14 of the calendar.

BILL ON THIRD READING

DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 936, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

POINT OF ORDER

Mr. DENT. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Westmoreland will state his point of order.

Mr. DENT. Mr. President, last night during the late hours I offered a set of amendments to House Bill No. 936, Printer's No. 363. Later a motion was made by the gentleman from Allegheny, Senator Geltz, to reconsider that vote. I desire to ask the Chair what is the status of the bill at this time; where are the amendments?

The PRESIDING OFFICER. For the information of the gentleman from Westmoreland, a motion was made during the session last evening to reconsider the vote by which the amendments passed and that motion was carried. Immediately thereafter a request was made that the bill go over in its order. The situation is that the bill is on the Calendar on third reading and the amendments are on the table.

AMENDMENTS WITHDRAWN

Mr. DENT. Then, Mr. President, in order to reach the main question on the bill, I desire to withdraw the amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The amendments are withdrawn.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16

Berger,	Crowe,	Kephart,	Thomas,
Carr,	Farrell,	Letzler,	Troutman,
Chapman,	Geltz,	Scarlett,	Tyler,
Crider,	Heyburn,	Taylor,	Walker,

NAYS—29

Barr,	Ealy,	Klein,	Ruth,
Becker,	Gourley,	Leader,	Snowden,
Blass,	Haluska,	Mallery,	Stevenson,
Bowers,	Holland,	Margie,	Wade,
Coleman,	Homsher,	McCreesh,	Wilson,
Cox,	James,	McGinnis,	Woodring,
Dent,	Jones,	Rosenfeld,	Tallman,
DiSilvestro,			Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 1190 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 1190, on page 15 of the calendar.

BILL ON THIRD READING

DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes and for the reduction of taxes on real estate authorizing the establihsment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15

Berger,	Farrell,	Kephart,	Thomas,
Carr,	Geltz,	Letzler,	Troutman,
Chapman,	Heyburn,	Scarlett,	Walker,
Crider,	Homsher,	Taylor,	

NAYS—32

Barr,	DiSilvestro,	Klein,	Snowden,
Becker,	Ealy,	Leader,	Stevenson,
Blass,	Gourley,	Mallery,	Stiefel,
Bowers,	Haluska,	Margie,	Tyler,
Coleman,	Holland,	McCreesh,	Wade,
Cox,	James,	McGinnis,	Wilson,
Crowe,	Jaspan,	Rosenfeld,	Woodring,
Dent,	Jones,	Ruth,	Tallman, Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 413, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations

Senate Bill No. 468, entitled:

An Act authorizing the alteration improvement and construction of buildings equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River and making an appropriation

Senate Bill No. 524, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

Senate Bill No. 528, entitled:

An Act to further amend section fourteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants.

Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled 'An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

REGULATING INDEBTEDNESS OF PHILADELPHIA

Senate Bill No. 649, entitled:

An Act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties.

Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the County of Blair or the City of Altoona or to the

County of Blair and the City of Altoona, certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately three-tenths of an acre of land in the County of Delaware, upon which is erected the Chester Range Front Light, and ceding jurisdiction to the United States.

Senate Bill No. 695, entitled:

An Act to amend section twelve hundred nine of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times, and the salvaging thereof.

Senate Bill No. 713, entitled:

An Act to amend sections three and five of Article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by making provisions for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors.

Senate Bill No. 734, entitled:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations.

Senate Bill No. 748, entitled:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America, or any federal agency, and placing such lands under the control and supervision of the Department of Forests and Waters.

Senate Bill No. 757, entitled:

An Act to further reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges

Senate Bill No. 760, entitled:

An Act to amend sections three, four, and five and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the third day of July, one thousand nine hundred forty-one (P. L. 244), entitled "A Supplemen to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended, entitled 'An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties'," by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases.

Senate Bill No. 761, entitled:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July, one thousand nine hundred forty-one (P. L. 249) entitled, as amended, "A Supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled 'An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties'," by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active miiltary service, and removing the requirement for physical examination in certain cases.

Senate Bill No. 775, entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions, and an equitable basis for State aid to local governments for highway purposes; authorizing consultation with research organizations of recognized national standing; and defining its powers and duties

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (O. J. Tallman) in the Chair.

HOUSE BILL No. 892 CALLED UP

Mr. ROSENFELD. Mr. President, I would like to call up for consideration at this time, House Bill No. 892, on page 13 of the Calendar.

BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 892, entitled:

An Act to further amend section four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their power and duties conferring certain powers and duties on the Department of Banking and providing penalties" by further defining the membership of credit unions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. ROSENFELD. Mr. President, this is the bill which my distinguished colleague, Judge Gourley, discussed last evening. There is nothing more I can add to the principle involved, except to say that it opens the way for greater participation by cooperatives in credit union work. I am fully aware of the fact that the Banking Department of the Commonwealth of Pennsylvania is not receptive to enlarging the Act of 1933, under which these credit unions operate, but I do feel it is high time that this Legislature do something to effect a change that long has been needed. I also want to suggest that today there are 675 credit unions and 545 of them are under federal charter. It was my impression that at least the majority side of this Senate was trying to get away from federal participation in any of the local activities and for that reason I think this bill, sponsored by Mr. Lee in the House, is a very good bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Barr,	Farrell,	Kephart,	McGinnis,
Coleman,	Gourley,	Klein,	Rosenfeld,
Cox,	Haluska,	Leader,	Ruth,
Dent,	Holland,	Margie,	Stiefel,
DiSilvestro,	Jaspan,	McCreesh,	Woodring,

NAYS—28

Becker,	Crowe,	Letzler,	Troutman,
Berger,	Ealy,	Mallery,	Tyler,
Blass,	Geltz,	Scarlett,	Wade,
Bowers,	Heyburn,	Snowden,	Wagner,
Carr,	Homsher,	Stevenson,	Walker,
Chapman,	James,	Taylor,	Wilson,
Crider,	Jones,	Thomas,	Tallman, Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HITLER'S DREAM

Mr. CARR. Mr. President, fellow Senators and guests, there were a couple of events that happened within the last few weeks and I think perhaps a dream which a certain noted tailor had some time ago, in my imagination, has perhaps come true by this time, and I am going to tell you about it. This little composition of mine is entitled Schieckelgruber's Dream, and it goes like this:

SCHICKELGRUBER'S DREAM

Poor old Schickelgruber had a very
nasty dream;
He was lying in his bed one night,
when, strange as it may seem,
He dreamed that he had perished
and was lying there in state.
And, though thousands came to view him
no one seemed to mourn his fate.
And then he dreamed his soul took off
and soared up through the air
Until he stood at Peter's gates,
so beautiful and fair.
"Hey, Peter, diss iss Hitler, open
opp und let me in,
Ve'll haff a beeg barade opp here
sooch ass hass neffer been.
Choost vake opp all der anchels
all der vimmens und der men,
Und shtand dem at attentions, und
I'll comm in choost den."
"Not so," cried Good Saint Peter,
"for it happens that I know
That you committed every sin
that's known on Earth below.
We cannot even ask you in to have
a bite of dinner
For we have records here that show
you were the world's worst sinner.
And so I don't feel sorry that to you
I have to tell,
That you have no place in heaven,
so you'd better go to hell."
And so poor Adolph started down,
awhistling for to show
He wasn't worried any for he had
a friend below.
But, when he reached the lower realm
about the close of day,
He paused outside Old Satan's gate
and heard the Devil say,
"I've been expecting Hitler here
since early in the morn,
But when he comes don't let him in
for sure as you were born,
He'll start to raise the devil here
and then, without a doubt,
He'll try to take possession here
and throw us devils out."
"Mine vrend," cried poor old Adolph,
"Diss I tought you'd neffer do,
For up on Earth in all my vars
I rebresented you;
I mate de beeples soffer und I did
your chob so vell,
I tought dot you vould surly haff
a blace for me in Hell.

So blease to open opp der door,
I'm getting mighty cold,
I'll giff you all my medals und
I'll giff you half my gold."
"Not so," said shrewd old Satan,
"I cannot let you in,
Although on Earth most faithful
to all my tasks you've been,
For if I ever let you in,
I know what you would do,
You'd take the whole place over
and at reigning I'd be through;
But I'll give you half my matches,
half the sulphur that I own,
You can make yourself a Hades
such as I have never known,
Where you, and Mussolini, and the
dirty little Japs
Can amuse yourselves forever
by drawing up new maps."

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government; making exceptions in certain cases and imposing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 148

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 148, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 255

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 273

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 273, entitled:

An Act to further amend the second paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," making counties in which deceased service persons are buried liable for the cost of headstones.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 276

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 276, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical Commission, to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania, in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 376

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 376, entitled:

An Act to further amend section six (d), and to add a new section to the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (P. L. 322), entitled "An act to amend, revise, consolidate, and change the laws relating to bonus, and providing for the imposition, computation, and collection of bonus for State purposes on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships," as last amended, by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid, and authorizing the Secretary of the Commonwealth, with the approval of the Auditor General and the Attorney General, to compromise and settle claims for bonus, interest and penalties thereon in certain cases.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 478

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 478, entitled:

An Act to amend sections one and two, and to further amend section three of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344—No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried, and to become surety on any bond, bail or recognizance.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 509

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 509, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," making husbands liable for payment of per capita taxes levied against their wives; and authorizing collection thereof from such husbands.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 839

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 839, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by further regulating the affairs of boroughs and revising, amending and changing the law relating thereto.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 877

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 877, entitled:

An Act to further amend sections sixteen and seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales, eliminating the right of redemption after such sales, and further providing for the reimbursement to the county for moneys spent on such property in certain cases.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 956

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 956, entitled:

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "Borough Rural State Highway Law," by changing certain routes and adding certain new routes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 986

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 986, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1135

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1135, entitled:

An Act conferring upon counties of the second class, power to enter upon private property and open and maintain drainage channels along county roads or highways; and providing penalty for interference with such drains or ditches.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1225

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement, development and maintenance of the plot of ground in the city of Erie, Pennsylvania acquired for the location of the Flagship Niagara.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1280

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-five.

AMENDMENT TO HOUSE BILL No. 289 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 289, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 138), entitled "Vocational Education Law," by adding clause (d) providing for future veterans and rehabilitation programs in public schools.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 116 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 404 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 434 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one-tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 624 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 626 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 638 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 538, entitled:

An Act to further amend section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the reg-

ulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual insurance companies other than life to transact outside of the United States, its territories and possessions, any and all forms of insurance or reinsurance other than life insurance or annuities, authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities, and providing for the maintenance in either case of a minimum policyholders' surplus of one million five hundred thousand dollars

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 692 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 820) entitled, "An act regulating the practice of the profession of engineering in all of its branches, including surveying; providing for the registration of certain persons practicing or offering to practice said profession; conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County; and providing penalties"; by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 724 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certifiy as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further provisions for designation and selection of representatives for purposes of collective bargaining

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

SENATE BILL No. 766 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennslyvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia, Commonwealth of Pennsylvania, to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by the United Nations and ceding jurisdiction to the United States

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be laid on the table.

HOUSE BILL No. 289 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table House Bill No. 289, recalled from the Governor, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 289, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 138) entitled "Vocational Education Law," by adding clause (d) providing for future veterans and rehabilitation programs in public schools.

The Clerk read the amendments as follows:

Amend the title, page 1, by striking out lines 9 and 10 of the title, and inserting in lieu thereof, the following: (d) authorizing any school district to contract with public or private agencies for the use of its vocational school facilities in public schools; Amend Section 1, section 4, page 2, line 17, by striking out after the word "from" and before the word "funds" the word "Commonwealth." Amend Section 1, section 4, page 2, lines 18 and 19, by striking out after the word "the" on line 18, the following: full cost of the program of vocational education of the school district, and inserting in lieu thereof, the following: total tuition charges as defined in the school laws.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 116 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 116, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 9, by inserting after the word "services", the following: The accumulated deductions left by former employes or contributors with the fund to their credit whose state employment has heretofore been terminated shall no longer bear interest after the effective date of this act. Amend Section 3, section 12, page 5, line 17, by striking out the light-faced bracket after the word "discontinued" and before the word "or." Amend Section 3, section 12, page 5, lines 21, 22 and 23, by striking out after the word "capacity" on line 21, the following: whereupon the disability annuitant's membership shall cease and the liability of the retirement board shall be terminated.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 404 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 404, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149) entitled, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels, used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing certain duties and restrictions on the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 7, by striking out lines 6 to 15, inclusive.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,

Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 434 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 434, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one tenth to the act approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole', conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 4 of the title, by inserting after the word "Parole" at the end of the line, the following: "and conferring jurisdiction on criminal courts in certain cases"; Amend Section 2, section 21.1, page 6, line 1, by inserting after the word "violator" and before the word "If", the following: "Provided That before any such parolee shall be so recommitted the court which originally sentenced such parolee or a Court of Record of the county in which the alleged technical violation shall have occurred shall find such parolee guilty of substantially violating the terms and conditions of his parole other than by the commission of a new crime of which he is convicted or to which he pleads guilty in a Court of Record."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,

Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 624 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 624, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 624, entitled:

An Act removing certain roads or sections of roads from the state highway system and providing for their future maintenance and construction

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 14, by striking out after the word "Route" and before the word "Spur", the figures 786, and inserting in lieu thereof the figures 876; Amend Section 1, page 2, line 14, by striking out after the word "Spur" and before the word "from", the following: "EE", and inserting in lieu thereof the following: "E"; Amend Section 2, page 3, by inserting between lines 23 and 24, the following:

JEFFERSON COUNTY

Two sections of the former Luthersburg and Punxsutawney Turnpike presently identified on Department of Highways records as Route 847 The first section beginning on the north Big Run Borough line at Caroline Street thence northeasterly in Henderson Township to Route 33051 The second section beginning at Route 338 about 1.20 miles southwest of Cramer thence northeasterly in Henderson Township to Route 189 just south of Route 33052 in Jefferson County a total distance of about 3.10 miles

Amend Section 4, page 6, lines 20, 21 and 22, by striking out after the word "the" on line 20, the following: political subdivisions responsible therefor at the time of their adoption as State highways, and inserting in lieu thereof the following: township borough incorporated town or city in which they are located.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,

Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 626 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 626, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by further limiting the operation of motor boats on certain waters

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, Section 1.1, page 2, line 14, by inserting after the word "width," the following: These restrictions do not apply to any motor boats or other watercraft engaged in commercial navigation.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 638 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 638, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 638, entitled:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus of two million dollars and for reserves as required by the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789)

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, lines 6 and 7 of the title, by striking out after the word "surplus" on line 6 and before the word "And" on line 7, the following: of two million dollars.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	[illegible]ell,	Klein,	Stiefel,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McCreesh,	Wade,
Chapman,	Homsher,	McGinnis,	Wagner,
Coleman,	James,	Rosenfeld,	Walker,
Cox,	Jaspan,	Ruth,	Wilson,
Crider,	Jones,	Scarlett,	Woodring,
Crowe,	Kephart,	Snowden,	Woodward,
Dent,		Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 692 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 692, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 820) entitled, " An act regulating the practice of the profession of engineering in all of its branches, including surveying; providing for the registration of certain persons practicing or offering to practice

said profession; conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County; and providing penalties"; by defining "practice of engineering" and "responsible charge" and changing the form of certificate of registration

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 5, line 25, by striking out the light-faced bracket at the beginning of the line before the word "or". Amend Section 4, page 5, line 25 by striking out the light-faced bracket after the word "surveyor" and before the word "the".

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 692

Mr. HEYBURN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 692.

Mr. BECKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent	Kephart,	Stevenson,	Tallman.
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 724 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 724, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168) entitled, "An act to protect the right of employes to organize and bargain collectively, creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties;" by making further provisions for designation and selection by representatives for purposes of collective bargaining

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, lines 5, 6 and 7, by striking out after the word "of" on line 5, the following: [a craft union] the employes of a particular craft within a plant or employer unit signify [its], and inserting in lieu thereof the following: [a craft union within a plant or employer unit signify its] the employes of a particular craft signify.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent.	Kephart,	Stevenson,	Tallman.
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 766 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 766, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia, Commonwealth of Pennsylvania, to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by

the United Nations and ceding jurisdiction to the United States

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 7 of the title, by striking out after the word "by" and before the word "United" the word "the" and inserting in lieu thereof the word "The"; amend Section 1, page 2, line 5, by striking out after the word "by" and before the word "United" the word "the" and inserting in lieu thereof the word "The"; amend Section 2, page 2, line 17, by striking out after the word "by" and before the word "United" the word "the" and inserting in lieu thereof the word "The"; amend page 3, by striking out lines 7 to 14, inclusive; Amend page 3, line 15, by striking out after the word "Section" and before the word "This", the figure "5" and inserting in lieu thereof the figure "4."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margle,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (H. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property andd Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register.

Senate Bill No. 133, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method.

Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college any properties acquired by it from The General State Authority which are being used by such land grant college; and making an appropriation.

Senate Bill No. 538, entitled:

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No. 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. one thousand three hundred thirty-three) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files

Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May one thousand nine hundred forty-four (Act No. 1) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1033) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

Senate Bill No. 687, entitled:

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (John M. Walker) in the Chair.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 438

The Clerk of the House of Representatives being intro-

duced, returned to the Senate, Senate Bill No. 438, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by adding to section five a new clause making the moneys in the motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania

with the information that the House has passed the same without amendments.

SENATE BILL No. 437 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 437, entitled:

An Act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor; providing for the operation of such bridges as free bridges after acquisition, and making an appropriation

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will be laid on the table.

SENATE BILL No. 508 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases, regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the state Treasurer and prothonotaries; and prescribing penalties

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will be laid on the table.

SENATE BILL No. 523 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will be laid on the table.

SENATE BILL No. 560 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 560, entitled:

An Act to amend sections two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will be laid on the table.

SENATE BILL No. 561 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will be laid on the table.

SENATE BILL No. 437 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 437.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 437, entitled:

An Act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure thereof; providing for the operation of such bridges as free bridges after acquisition, and making an appropriation

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by striking out after the word "stream" and before the word "river" the word "of" and inserting in lieu thereof the word "or"; Amend Section 4, page 2, line 24, by striking out after the word "the" and before the word "of" the word "secretary" and inserting in lieu thereof the word "Secretary"; Amend Section 15, page 9, line 11, by striking out after the word "Laws" and before the parenthesis the figures "365" and inserting in lieu thereof the figures "395"; Amend Section 15, page 9, lines 11, 12, 13, 14 and 15, by striking out after the word "empowering" on line 11, and before the word "and" on line 15, the following: and authorizing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition, and inserting in lieu thereof the following: The Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefore providing for the reimbursement of the Commonwealth from tolls and charges

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Walker,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 508 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 508, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases, regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 25, 26 and 27, by striking out after the parenthesis on line 25, the following: and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Walker,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 561 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 561, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend page 2, by inserting between lines 23 and 24 the following: Section 2 The provisions of this amendatory act shall not apply to any county highway or section thereof nor to bridges or other structures forming an integral part thereof as to which the county commissioners have adopted a resolution under the provisions of the act amended hereby prior to the effective date of this amendatory act The Department of Highways shall hereafter repair and maintain the same notwithstanding the enactment of the foregoing amendment; Amend Section 2, page 2, line 24, by striking out after the word "Section" and before the word "This" the figure "2" and inserting in lieu thereof the figure "3".

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 561

Mr. HEYBURN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 561.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Walker,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 523 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 523, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said polical subdivisions; and prescribing penalties

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 3, line 16, by striking out at the beginning of the line before the word "bond" the word "fidelity" and inserting in lieu thereof the word "surety"; Amend Section 4, page 5, lines 1 and 2, by striking out after the word "that" on line 1, the following: reasonable effort has been made to collect such taxes, and inserting in lieu thereof the following: he has complied with section twenty of this act; Amend Section 5, page 5, line 26, by inserting after the word "act," the following: This section shall be construed to apply to duplicates heretofore issued; Amend Section 14, page 9, line 27, by inserting after the word "stud" and before the word "to", the followng: or carbon copy; Amend Section 20, page 14, line 17, by striking out after the word "delinquent" and before the word "within" the following: taxable resides, and inserting in lieu thereof the following: tax was levied; Amend Section 26, page 19, line 15, by inserting after the word "district" and before the word "not", the following: at such time as the said taxing district may fix but; Amend Section 26, page 19, lines 28 and 29, by striking out after the word "that" on line 28, the following: reasonable effort has been made to collect such taxes, and inserting in lieu thereof the following: he has complied with section twenty of this act; Amend Section 33, page 23, line 12, by striking out after the word "exceeding" at the end of the line, the following: fifty-two, and inserting in lieu thereof the following: fifty-five; Amend Section 22, page 23, lines 21, 22 and 23, by striking out after the word "the" at the end of line 21, the following: city council the board of school directors and the county commissioners, and inserting in lieu thereof the following: taxing districts; Amend Section 43, page 36, line 18, by inserting after the word "fifty-six" and before the word "two," the following: two thousand five hundred fifty-eight.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Yeas—49.

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Walker,
DiSilvestro,			Presiding Officer

Nays—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDING OFFICER (O. J. Tallman) in the Chair.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 106

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 106, entitled:

An Act to further amend sections two hundred twenty, and two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters, and the boundary lakes, and boundary rivers of the Commonwealth," increasing the resident fishing license fee; and limiting the use of the money derived from such increase

and has appointed Messrs. DIX and PETROSKY, as a Committee of Conference to confer with a similar com-

mittee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 106

The PRESIDING OFFICER. The Chair announces that the President pro tempore appoints Messrs. TALLMAN, CROWE and RUTH as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No.106.

HOUSE ADOPTS THE REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 62

He also informed the Senate that the House had adopted the Report of Committee of Conference on House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one, (P. L. 149) entitled "Liquid Fuels Tax Law," as last amended, by imposing an additional tax on liquid fuels and providing for the payment thereof into the Motor License Fund.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 62 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 62.

SENATE ADOPTS THE REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 62

Agreeably to order,

The Senate proceeded to the consideration of the Report of Committee of Conference on House Bill No. 62, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 62

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 62, entitled: "An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled 'An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth * * *' as last amended by imposing an additional tax on liquid fuels; providing for the payment thereof into the Motor License Fund; making appropriations; and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions; making an appropriation to the Joint State Government Commission for certain purposes and imposing duties on the Department of Highways."

Respectfully submit the following bill as our report:

JOHN G. SNOWDEN,
EDWIN S. BOWERS,
JOHN H. DENT,
(Committee on the Part of the Senate.)
LLOYD H. WOOD,
BAKER ROYER,
HARRY P. O'NEILL,
(Committee on the part of the House of Representatives.)

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels for a limited time providing for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions and imposing duties on the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and section ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by amending section four as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 616) and section ten as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 634) to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States provided that the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional [emergency] State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period [for the period] beginning on the day this act becomes effective [and ending on the thirty-first day of May one thousand nine hundred and forty-five] and ending on the thirty-first day of May one thousand nine hundred and forty-seven

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional [emergency] tax of one cent per gallon or fractional part thereof collected under the provisions of this act [before June first one thousand nine hundred thirty-six] shall be paid into the [State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund] Motor License Fund and the following amounts thereof are hereby specifically appropriated for the two calendar years beginning the first day of January one thousand nine hundred forty-six for the purposes and in the manner as hereinafter set forth

Eight million five hundred thousand dollars shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated and apportioned among the said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

Eight million five hundred thousand dollars shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each such unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made

The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted by the cities boroughs towns and townships The term "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The moneys so appropriated allocated and apportioned herein from the Motor License Fund shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned for Federal projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges

The corporate authorities of the said political subdivisions shall at the time of fixing the real estate tax rate for highway road and street purposes for the calendar years one thousand nine hundred and forty-six and one thousand nine hundred and forty-seven give consideration to the anticipated revenue to be received under the provisions of this act

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-five

On the question,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 724 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 724, on page 10 of the calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 724, as follows:

An Act to amend section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" is hereby amended to read as follows

Section 4 This act is not intended and shall not be construed

(a) To place upon the Commonwealth any duty to regulate traffic or police the streets herein taken over by the Commonwealth but such duty shall be and remain the obligation of the cities

(b) To place upon the Commonwealth any obligation for the maintenance construction reconstruction or resurfacing of said streets other than the base or surface courses

(c) To place upon the Commonwealth through the Department of Highways any obligation to maintain construct or reconstruct any structure bridge or viaduct of any kind or character whatsoever situate upon or forming part of any city street or section thereof described in section two of this act in any city of the second class except that the Secretary of Highways may assume in such cities the obligation to maintain construct or reconstruct drainage structures with a total spanned length not exceeding ten feet measured along the center line of the street other than storm or sanitary sewers and which were the sole obligation of the city prior to the passage of this act Responsibility for the construction reconstruction and maintenance of any other structures shall in cities of the second class remain with the city person association or corporation responsible therefor at the date of the approval of this act But all bridges and viaducts on such State highways in cities of the second class A and third class which are being maintained by the city or county shall be taken over by the Department of Highways upon the effective date of this amendment and shall thereafter be constructed reconstructed repaired and maintained at the sole expense of the Commonwealth

(d) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any street described and designated in section two of this act and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

(e) To place upon the Commonwealth any obligation under any franchise or franchises heretofore or hereafter granted by the city to any public utility company nor to transfer to the Commonwealth from the city any rights under any such franchise or franchises heretofore granted

(f) To place upon the Department of Highways any authority to regulate traffic parking or the general use by the traveling public of the streets or sections thereof taken over by the Commonwealth for maintenance or improvement under the provisions of this act Provided

however That the Department of Highways shall be and is hereby authorized to close to traffic all of the streets or sections thereof described in section two of this act during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section ten of this act

Section 2 This act shall become effective on the first day of July one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taylor,
Berger,	Geltz,	Letzler,	Thomas,
Blass,	Gourley,	Mallery,	Troutman,
Bowers,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	McCreesh,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	James,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Woodring,
Crowe,	Jones,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Tallman,
DiSilvestro,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined by the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 845 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 845, on page 11 of the calendar.

BILL DROPPED FROM CALENDAR

Mr. HEYBURN. Mr. President, I move that House Bill No. 845, on third reading, entitled:

An act to amend section thirteen of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" by further regulating the eligibility lists in cities of the second class "A"

be dropped from the calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 293 CALLED UP

Mr. HEYBURN. Mr. President, I call up for consideration at this time House Bill No. 293, on page 5 of the calendar.

BILL DROPPED FROM CALENDAR

Mr. HEYBURN. Mr. President, I move that House Bill No. 293, on third reading, entitled:

An Act providing for the appointment and expenses of a commission of nine persons to study revise and codify the law relating to decedents estates and to fiduciaries and making an appropriation

be dropped from the calendar.

Mr. DiSILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 24, entitled:

An Act to amend subsection (a) of section two of article two of the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "First Class City Charter Law," by making the mayor of any such city eligible to such office for one successive term.

House Bill No. 63, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "'Pennsylvania Election Code," by eliminating the necessity of proclaiming the names of persons elected to certain offices.

House Bill No. 66, entitled:

An Act making an appropriation to the Department of Forests and Waters for improvement and development of the Ports of Philadelphia, Chester, Pittsburgh and Erie.

House Bill No. 67, entitled:

An Act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital; for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage treatment plants; for sealing abandoned coal mines; for stream clearance and experimental work relating to the pollution of streams and the prevention thereof.

House Bill No. 94, entitled:

An Act making an appropriaion to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, re-

turns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants.

House Bill No. 123, entitled:

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further fixing the fee for filing nomination petitions for the office of county auditor and the office of tax collector in counties of the eighth class.

House Bill No. 139, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers, the Pennsylvania Soldiers' Orphan School, the Thaddeus Stevens Industrial School, the Pennsylvania Oral School for the Deaf at Scranton, the Pennsylvania State College, historical monuments, markers or properties in the custody of the Pennsylvania Historical Commission, for purchase or condemnation of land, for construction of new buildings, for repair and alteration to and replacement of existing buildings, and for the architectural and engineering services, for fixtures, equipment, sewage treatment plants, water supply, and electrical and other utility facilities.

House Bill No. 170, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund the proper conduct of a specific portion of its work.

Senate Bill No. 191, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," establishing an additional route in the city of Altoona.

House Bill No. 276, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical Commission, to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania, in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

House Bill No. 288, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, and the farm where he was born; and to provide for the control, management, supervision, improvement, preservation and maintenance thereof; and making an appropriation.

Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June, ine thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," increasing the pension of a blind person.

Senate Bill No. 320, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Senate Bill No. 321, entitled:

An Act to further amend section thirty-one of the act, approved the seventh day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribthe powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers,

municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Senate Bill No. 322, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bdies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating the check-up of registered electors.

Senate Bill No. 323, entitled:

An Act to further amend section thirty of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

House Bill No. 326, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of building a protective wall along the bank of the Ohio River roof repairs steel beam supports and renewal of piping in power plant and one new generator all at the Dixmont Hospital Dixmont Allegheny County Pennsylvania

House Bill No. 328, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in The Dixmont Hospital, Dixmont, Allegheny County, Pennsylvania.

Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice osteopathic medicine in the State of Pennsylvania.

Senate Bill No. 437, entitled:

An Act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor; providing for the operation of such bridges as free bridges after acquisition, and making an appropriation.

Senate Bill No. 438, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania.

House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

Senate Bill No. 502, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors, and comparing and correcting the general and district registers.

Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases, regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties.

Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties.

House Bill No. 578, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "County Institution District Law," changing the conditions to borrow money for current expenses.

House Bill No. 585, entitled:

An Act to amend the title and sections one and two of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 476), entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census," by making the act applicable to counties of the second class, and changing and further fixing such fees.

House Bill No. 587, entitled:

An Act to amend section forty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth.

Senate Bill No. 599, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State department, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign nonprofit corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

House Bill No. 602, entitled:

An Act to further amend section one of the act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks.

Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction.

Senate Bill No. 625, entitled:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops.

Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by further limiting the operation of motor boats on certain waters.

House Bill No. 636, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers and duties; transferring certain powers, duties and employes from the Department of Public Instruction to the said commission; abolishing the Pennsylvania Historical Commission and making available to the commission any funds in the possession or control of the Pennsylvania Historical Commission.

House Bill No. 658, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting federated women's clubs.

Senate Bill No. 667, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals.

Senate Bill No. 675, entitled:

An Act to repeal The General State Authority Act of 1935 and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth.

House Bill No. 675, entitled:

An Act to further amend section fifteen of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," extending the lien of debts on decedent's real estate in certain cases.

House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "Mental Health Act of 1923," granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions, otherwise liable for such maintenance.

House Bill No. 714, entitled:

An Act to further amend section one of the act, approved the eighth day of July, one thousand nine hundred nineteen (P. L. 782), entitled, as amended, "An act providing that clerks, appraisers, investigators and other persons assisting the registers of wills in the collection of inheritance taxes, in all counties shall be appointed and their compensation fixed by the Secretary of Revenue; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes, including cost of registers' bonds," by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

House Bill No. 716, entitled:

An Act to further amend sections one and eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," as amended, by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors.

House Bill No. 722, entitled:

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and fifteen (P. L. 226), entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth, in counties having over eight hundred thousand, and less than one million five hundred thousand inhabitants, according to the last preceding United States census," by extending said act to counties of the second class, changing and further fixing the fees to be charged by said prothonotary.

Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168) entitled, "An act to protect the right of employes to organize and bargain collectively, creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the

board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties;" by making further provisions for designation and selection of representatives for purposes of collective bargaining.

Senate Bill No. 749, entitled:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention, diagnosis, care and treatment of rheumatic fever and rheumatic heart disease.

Senate Bill No. 750, entitled:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts; authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions; and to improve or erect buildings thereon; providing for the administration of relocated or new institutions; and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used.

Senate Bill No. 765, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny, and to construct, alter, improve and equip such property for use of the Commonwealth, providing for the maintenance thereof, and making an appropriation.

Senate Bill No. 770, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

House Bill No. 782, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second class for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local.

House Bill No. 828, entitled:

An Act to further amend section two and to amend sections three and four of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law," further regulating the returns of taxable property made by taxpayers under the provisions of said act.

House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section and making such further limitation retroactive.

House Bill No. 881, entitled:

An Act requiring boards of prison inspectors in counties of the fourth class, to pay the premium on all bonds required of employes appointed by the board.

House Bill No. 890, entitled:

An Act to further amend section two thousand six hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorizing school districts of the second, third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city, borough, town or township.

House Bill No. 958, entitled:

An Act to further amend section two of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "City State Highway Law," by changing certain routes and adding certain new routes.

House Bill No. 959, entitled:

An Act to further amend section two of the act approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new routes.

House Bill No. 1001, entitled

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administration Code of 1929," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

House Bill No. 1011, entitled:

An Act to amend the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2687), entitled "An act authorizing the Secretary of Property and Supplies, with the approval of the Governor, to enter into contract with persons, firms or corporations to erect office buildings, and to lease such office buildings for the use of the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease," removing the authorization to contract for the erection of buildings.

House Bill No. 1088, entitled:

An Act to amend section six hundred two point one, of article six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further regulating the sale of land or any interest therein.

House Bill No. 1089, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof, subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by authorizing stock and mutual life insurance companies to invest in housing projects either through stock ownership or real estate acquisition or use, subject to certain regulations and restrictions.

House Bill No. 1131, entitled:

An Act to authorize the State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties.

House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 of and to add section 21.1 to the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1705) entitled "State Board of Housing Law," by substituting the Department of Commerce for the Department of Health, eliminating the honorarium for members of the board, requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director, enlarging the board's general powers and the plans to be filed therewith, rescinding the provisions for selection and removal of the board's employes, to transfer the board from the Department of Health to the Department of Commerce, and making an appropriation.

House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

House Bill No. 1184, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law" by giving jurisdiction to the Municipal Court of Philadelphia County.

House Bill No. 1194, entitled:

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in, and an endowment fund for, the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land, located in Ephrata, Lancaster County, Pennsylvania.

House Bill No. 1199, entitled:

An Act to further amend section four hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," requiring the preservation of certain records.

House Bill No. 1234, entitled:

An Act to further amend sections one and ten of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," entering and further regulating such retirement systems.

House Bill No. 1235, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

House Bill No. 1267, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "National Defense Housing Law," by extending the time in which the development of projects may be initiated thereunder.

House Bill No. 1271, entitled:

An Act authorizing the laying out opening construction and maintenance of a State highway route in the County of Juniata and making an appropriation.

House Bill No. 1278, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

House Bill No. 1279, entitled:

An Act to repeal the act, approved the tenth day of April, one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County."

House Bill No. 1282, entitled:

An Act to further amend the title and section three of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as last amended, "State Fire Marshal Law," including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 8

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has receded on its amendments non-concurred in by the Senate to Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation.

HOUSE CONCURS IN SENATE BILL No. 344

He also returned to the Senate, Senate Bill No. 344, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, increasing the maximum amount of State debt to supply deficiencies in revenue.

PROVIDING MAXIMUM STATE DEBT TO SUPPLY DEFICIENCY

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 435

He also returned to the Senate, Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 479

He also returned to the Senate, Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 509

He also returned to the Senate, Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 548

He also returned to the Senate, Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 614

He also returned to the Senate, Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 618

He also returned to the Senate, Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 702

He also returned to the Senate, Senate Bill No. 702, entitled:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name, style, or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring nonresident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners, at the expense of the county, to provide books or other means of reproduction for the entry of such applicants; requiring the cancellation of such application on the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 769

He also returned to the Senate, Senate Bill No. 769, entitled:

An Act to amend sections three, four and five, and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the sixth day of May, one thousand nine hundred forty-two (P. L. 101) entitled, "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, 'An act establishing a public school employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service," by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service; and removing the requirement for a physical examination in certain cases

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 771

He also returned to the Senate, Senate Bill No. 771, entitled:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged, and in certain cases for the widows and wives of such persons

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 776

He also returned to the Senate, Senate Bill No. 776, entitled:

An Act to further amend section five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 784

He also returned to the Senate, Senate Bill No. 784, entitled:

An Act to further amend Section 320 of an Act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as last amended by Section 4 of the Act approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 365)

with the information that the House has passed the same without amendments.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, May 7, 1945, at 10:00 o'clock a. m., Eastern War Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m., Eastern War Time until Monday, May 7, 1945, at 10:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

SATURDAY, May 5, 1945

The House met at 10:30 a. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Our Father who art in heaven, we thank Thee for the bountiful gifts of life. We are indeed a favored people when we compare our lot with that of others throughout the world. We pray for all who are suffering sorrow because of the ravages of war. May the day speedily come when there will be peace amongst all nations.

We thank Thee for the many enjoyable friendships established and renewed during these months of the Legislative session. As the time is approaching for separation may the Lord watch between me and thee while we are absent one from another. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Friday, May 4, 1945.

The Clerk proceeded to read the Journal of Friday, May 4, 1945, when on motion of Mr. HOOPES unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence 1209.

Amended Senate Bills concurred in by Senate 656, 657, 718.

Senate Bills to be signed, 3, 4, 9, 10, 16, 17, 22, 29, 32, 42, 43, 49, 51, 54, 60, 64, 67, 73, 90, 101, 111, 165, 166, 180, 208, 209, 219, 294, 446, 448, 480, 536, 643, 646, 652, 653, 666, 680, 701, 726, 746, 459, 465, 732.

Appointment of Conference Committee on Senate Bill 658.

PERMISSION TO ADDRESS HOUSE

Mr. MYHAN asked and obtained unanimous consent to address the House.

Mr. Speaker, throughout the history of our great nation, we have prided ourselves as being great believers in democracy, champions of the rights of all people. For this cause our soldiers have fought battles all over the world. But as we near the end of this session of the Legislature, I am wondering if that democracy we so proudly boast of is not somewhat camouflaged, when the Geneal Assembly of this great Commonwealth is willing to adjourn without considering legislation like the Brown F. E. P. C. Bill.

Ladies and Gentlemen of the House, that Bill is dead and buried, but the sentiments of the people of this State are very much alive, and their voices will be continually heard in protests against the crushing of their rights as citizens.

This is very well expressed in an editorial of the Philadelphia Inquirer of April 26, 1945, for which I ask the permission of the House to read into the record of the Journal.

If the Republican leadership at Harrisburg permits the Brown fair employment practice bill to die in committee, it will be trampling upon the rights of the people of this State—and it will be committing a grievous political mistake.

The FEPC bill has one main purpose, to put an end to the vicious un-American practice of discrimination against any person by any employer or labor union because of race, creed, color, national origin or ancestry.

It is intended to make it impossible to place anyone at a disadvantage, in his struggle to earn a living, because of race or religion.

It is a good bill. It is based on sound American doctrine.

Yet we find it stalled in the House Labor Committee as the hour for adjournment of the Legislature nears—apparently condemned to death not by open opposition but by legislative apathy that can kill a bill as quickly as adverse votes.

The Brown bill has been held back by refusal of the committee majority to report it to the floor.

When its supporters took the desperate step of trying to discharge the committee from further consideration of the measure, they were unable to muster sufficient voting strength.

The bill remains penned up and unless immediate action is taken to rescue it, it will expire with the session.

That would be a calamity, and it is up to the Republican Party, which holds the responsibility of majority control of the Legislature, to act quickly and decisively.

When the discharge motion was brought up, announcement was made that the vote would not be on the merits of the bill but concerned a matter of legislative procedure only.

The traditional right of a committee majority to kill an unwanted proposal in secret without meddling interference from the other members, was being upheld, and while it was being upheld, the FEPC bill was to be given the death-blow.

Perhaps this was regarded as smart strategy by some. Actually it is just the reverse. The people are not going to be fooled by such parliamentary shenanigans. They know that the anti-discrimination law has been dealt a heavy and perhaps fatal blow, and they know who dealt it.

They are not interested in any convenient tradition that holds that the feelings of a committee chairman should never be hurt by taking a bill out of his hands.

They had been led to believe that a satisfactory anti-bias law would be passed by this Legislature. No fewer than three proposed measures have been introduced. Governor Martin has consistently shown that he wants such legislation enacted.

When a public hearing was held on the various proposals, it was demonstrated beyond question that the Brown bill was the most favored. Its reward was to be kicked back into committee.

How can anyone honestly deny that justice, the public interest and the maintenance of a true democratic form of government call for a policy which would give each person of equal ability, regardless of race, creed, color or origin, a fair chance in the struggle for life?

The FEPC bill is intended to give every Pennsylvanian that chance. As a matter of fair play, it should not be allowed to die. It must be saved from execution. There is still time.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 658

Mr. DAVID P. REESE, Jr. Mr. Speaker, I submit the report of the Committee of Conference on Senate Bill No. 658.

The SPEAKER. The report will be filed with the Clerk. This being a Senate Bill it will be printed by the Senate.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 58.

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

HOUSE BILL No. 119.

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation

HOUSE BILL No. 171.

An Act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction

HOUSE BILL No. 279.

An Act to amend section one of the act approved the first day of June one thousand nine hundred forty-three (App Acts p 15) entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto" increasing the amount of such appropriation and extending the time thereof

HOUSE BILL No. 1258.

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for the guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION INTRODUCED AND REFERRED

By Mr. McNALLY. RESOLUTION No. 65.

In the House of Representatives, May 5, 1945.

There has been introduced in Congress, a bill proposing to amend the Selective Training and Service Act of 1940 under which veterans were insured reemployment with their former employer.

Some employers, however, have been evading the provisions of the said act by declining to give certain veterans reemployment on the grounds that such veterans were physically unable to perform their former duties, whereas the said veterans claimed they were quite capable of so doing.

In order to eliminate evasions of this nature, the amendment above referred was introduced, providing that only actual incapacitation shall relieve the employer from employing any such veteran.

The amendment also proposes to extend the period during which veterans may apply to their former employers for employment; therefore be it

Resolved, By the House of Representatives of the General Assembly of the State of Pennsylvania, that it hereby memorializes the 79th Congress of the United States to speedily enact into law the proposed amendments to the Selective Training and Service Act of 1940; and be it further

Resolved, That a copy of the above resolution be transmitted to the President of the United States, to the President Pro Tempore of the United States Senate, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

ADDITIONAL SPONSORS

Mr. McNALLY asked and obtained unanimous consent to add additional names, Democratic Members of Allegheny County, to a resolution.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection,

Senate Bill No. 716, Printer's No. 478

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 612, entitled:

An Act to repeal the act approved the first day of December one thousand nine hundred thirty-eight (P. L. one hundred nine) entitled "A supplement to the act approved the eighteenth day of March one thousand eight hundred and seventy-five (P. L. 30) entitled 'An act to authorize changes of venue in criminal cases' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILLS PASSED OVER

There being no objection

House Bill No. 528, Printer's No. 756 and

House Bill No. 289, Printer's No. 774,

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 295 as follows:

An Act to repeal certain obsolete and supplied penal laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following obsolete and supplied penal acts and parts of acts and resolutions and parts of resolutions are hereby repealed absolutely

Section three of the act approved the twenty-sixth day of August one thousand seven hundred twenty-one (1 Sm L 129) entitled "An act for preventing accidents that may happen by fire"

The act approved the ninth day of February one thousand seven hundred fifty-one (1 Sm L 208) entitled "An act for the more effectual preventing accidents which may happen by fire and for suppressing ideleness drunkenness and other debaucheries"

The act approved the twenty-fourth day of December one thousand seven hundred seventy-four (1 Sm L 421) entitled "An act to suppress the disorderly practice of firing guns &c on the times therein mentioned"

Section six of the act approved the twenty-ninth day of September one thousand seven hundred eighty-seven (2 Sm L 432) entitled "An act for regulating chimney-sweepers within the city of Philadelphia the district of Southwark and township of the Northern-Liberties in the county of Philadelphia"

Section three four and twelve of the act approved the twenty-second day of April one thousand seven hundred ninety-four (3 Sm L 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation"

The act approved the sixth day of March one thousand eight hundred twenty (P. L. 46 7 Sm L 254) entitled "An act relative to the owners and drivers of public stages and other carriages for the conveyance of passengers and for other purposes"

Sections one two three and four of the act approved the second day of April one thousand eight hundred twenty-two (P. L. 286 7 Sm L 660) entitled "An act to prevent the disturbance of meetings held for the purpose of religious worship"

Clause three of the resolution approved the third day of April one thousand eight hundred forty (P. L. 714) entitled "A resolution providing for the resumption of specie payments by the banks and for other purposes"

Section nineteen of the act approved the twenty-sixth day of January one thousand eight hundred forty-nine (P. L. 10) entitled "An act regulating turnpike and plank road companies"

The act approved the second day of April one thousand eight hundred seventy (P. L. 46) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

The act approved the eighth day of May one thousand eight hundred seventy-six (P. L. 154) entitled "An act to define and suppress vagrancy"

The act approved the third day of May one thousand eight hundred seventy-eight (P. L. 40) entitled "An act to amend an act entitled 'An act to define and suppress vagrancy' approved May eighth one thousand eight hundred and seventy-six so as to prohibit the payment of fees for arrests made by police officers and high constables"

The act approved the fourth day of June one thousand eight hundred seventy-nine (P. L. 85) entitled "An act to prevent the obstruction of toll-gates for the purpose of evading the payment of tolls"

The act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 100) entitled "An act to authorized in cities of the first class whenever wayfarers' lodges shall be established therein the commitnemt of persons to the house of correction as vagrants who shall obtain shelter and food from such lodges and who shall refuse to perform work in return therefor when physically able to work"

Section four of the act approved the twenty-eighth day of May one thousand eight hundred eighty-five (P. L. 27) entitled "An act supplementary to an act entitled 'An act to protect children from neglect and cruelty and relating to their employment protection and adoption' approved the eleventh day of June one thousand eight hundred and seventy-nine providing for the further protection of minors and regulating the boarding and maintaining of infant children for hire"

Sections one and two of the act approved the eighth day of May one thousand eight hundred eighty-nine (P. L. 131) entitled "An act forbidding the refilling of or dealing or trafficking in registered bottles by persons other than the owners thereof without the written permission of the owner declaring it to be a misdemeanor so to do imposing a penalty therefor and providing what shall be prima facie proof thereof"

The act approved the tenth day of July one thousand nine hundred one (P. L. 638) entitled "An act to prohibit the sale and furnishing of tobacco to persons under the age of sixteen years"

Section one of the act approved the twenty-seventh day of March one thousand nine hundred three (P. L. 102) entitled "An act to prevent bigamous marriages defining same and declaring same misdemeanors fixing the punishment declaring certain marriages void exempting certain persons from the penalties marking out limits of time within which the prosecution must be brought and repealing inconsistent acts"

The act approved the twenty-third day of April one thousand nine hundred nine (P. L. 171) entitled "An act making it a misdemeanor for any person to make utter circulate or transmit false or derogatory statements affecting the solvency or financial standing of any bank banking house banking company trust company surety company guarantee company title insurance company or other financial institution in this Commonwealth and providing penalties for violation of this act"

Sections one and two of the act approved the sixth day of May one thousand nine hundred nine (P. L. 443) entitled "An act prohibiting any owner offering for sale or selling any horse which could not be worked in this Commonwealth without violating the laws against cruelty to animals by reason of lameness debility disease or other cause and preventing any person from leading riding or driving on any public way for any purpose except to a proper place for humane keeping or killing or for medical or surgical treatment any horse which by reason of debility disease or lameness or for other cause could not be worked without violating the laws against cruelty to

animals providing a penalty for the violation of this act and authorizing policemen constables or agents of any society for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrant of offenders of this act"

Section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 274) entitled "An act to prohibit the bringing into prisons of all weapons or other implements which may be used to injure any convict or person or in assisting any convict to escape punishment or the selling or furnishing of same to convicts to prohibit the bringing into prisons of all spirituous or fermented liquors drugs medicines poisons opium morphine or any other kind or character of narcotics or the giving selling or furnishing of spirituous or fermented liquor drugs medicine poison opium morphine or any other kind or character of narcotics or bringing into or taking out letters notes money or contraband goods of any kind whatsoever and providing a penalty for the violation thereof"

Sections eight and nine of the act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 481) entitled "An act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers"

Sections two three and four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1068) entitled "An act to prevent the publication and distribution of discriminating matter against any religious sect creed class denomination or nationality and to punish the same"

The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1361) entitled "An act to amend section one of the act approved the twenty-third day of April one thousand nine hundred and nine (P. L. 171) entitled 'An act making it a misdemeanor for any person to make utter circulate or transmit false or derogatory statements affecting the solvency or financial standing of any bank banking house banking company trust company surety company guarantee company title insurnace company or other financial institution in this Commonwealth and providing penalties for violation of this act' by extending the provisions of said act so as to include the writing and publishing of derogatory financial statements and to include statements affecting building and loan associations"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly
Baker,	Fullerton,	Lyons,	Reynolds
Barrett,	Gaffney,	Madden,	Riley
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster
Boory,	Greenwood,	McLanahan,	Serrill
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty	Leonard,	Readinger,	Worley,
Flack	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yeakel,
Foor,	Loftus,	Regan,	Yester,
Fox,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—1

Reese D. P.,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

Senate Bill No. 538, Printer's No. 588
Senate Bill No. 539, Printer's No. 589
Senate Bill No. 523, Printer's No. 581 and
Senate Bill No. 561, Printer's No. 601

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 625, as follows:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties

upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 10 Apprentices in Beauty Shops Any cosmetologist hairdresser or cosmetician who is a beauty shop owner and who is a holder of a teacher's certificate may instruct apprentices provided that there shall be no less than [four] two licensed operators for each apprentice in any shop and there shall be no more than two apprentices in any shop and provided such shop is not held out as a school of beauty culture Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the department if successful therein shall be registered as operators Registered apprentices upon completion of their required term of apprenticeship may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I would like to have a brief explanation of this bill. I am not just quite clear on it. I would like to have it explained briefly.

Mr. STOCKHAM. Mr. Speaker, I believe this bill allows for the reduction of those in beauty shops who are apprentices. I believe this allows for a change in the number of apprentices in beauty shops. This is of some particular import in rural areas where there are small shops and where the present requirement is for a number which is in excess of that which is set in this bill. They are fixed in this measure at two, and it becomes much of a hardship in the smaller towns in the operations of these plants, because the requirement at present is for four, and by that token these shops must depend entirely upon those who may be schooled rather than those that they may train themselves. I think that briefly explains the intent and import of the measure.

Mr. MORAN. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Andrews,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Root,
Bentley,	Gardner,	Matthews,	Rose,
Bentzel,	Getchey,	McAtee,	Royer,
Boies,	Gibson,	McClester,	Rudisill,
Bonawitz,	Goodling,	McCormack,	Serrill,
Boorse,	Grant,	McDowell,	Shaffer,
Boory,	Green,	McKinney,	Shoemaker,
Bower,	Greenwood,	McMillen,	Skale,
Breisch,	Greer,	McNair,	Sloan,
Brice,	Guthrie,	Mihm,	Smith,
Brothers,	Gyger,	Mikula,	Snider,
Brown,	Haberlen,	Miller,	Snyder,
Brunner, C. H.,	Hall,	Milliken,	Sollenberger,
Brunner, P. A.,	Hare,	Mills,	Sorg,
Burns,	Haudenshield,	Mooney,	Stockham,
Cadwalader,	Heatherington,	Moore, C. E.,	Stuart,
Chervenak,	Helm,	Moore, W. J.,	Swope,
Coleman,	Hering,	Moran,	Tahl,
Cook,	Herman,	Moser,	Tittle,
Cooper,	Hersch,	Munley,	Trent,
Corrigan,	Hewitt,	Murray, M. L.,	Trout,
Costa,	Hoffman,	Murray, P. G.,	Turbett,
Coulson,	Hoggard,	Myhan,	Turner,
Cullen,	Hoopes,	Nelson,	Verona,
Dague,	Howells,	O'Brien,	Wachhaus,
Dennison,	Hunter,	O'Dare,	Wagner,
Depuy,	Huntley,	O'Donnell,	Waterhouse,
Dillon,	James,	O'Neill,	Watkins,
Dix,	Jones,	Owens,	Weiss,
Duffy,	Kennedy,	Pentrack,	Welsh,
Dye,	Kline,	Petrosky,	Wescott,
Elder,	Krise,	Pickens,	Wood, L. H.,
Elish,	Kurtz,	Polen,	Wood, N.,
Erb,	Lane,	Propert,	Worley,
Ewing,	Laughner,	Readinger,	Wright,
Finnerty,	Lee,	Reagan,	Yeakel,
Flack,	Leisey,	Reese, D. P.,	Yester,
Fleming,	Lichtenwalter,	Reese, R. E.,	Fiss,
Foor,	Loftus,	Regan,	Speaker.
Fox,	Longo,	Reilly,	

NAYS—36

Baker,	Gore,	McLanahan,	Salus,
Boney,	Hamilton,	McNally,	Scanlon,
Brancato,	Hennihan,	Modell,	Schuster,
Chudoff,	Kirley,	Nagel,	Stank,
Cohen,	Kolankiewicz,	O'Connor,	Stonier,
Coyle,	Komorofski,	Pettigrew,	Tate,
Dalrymple,	Leonard,	Polaski,	Trachtman,
Dougherty,	Levy,	Powers,	Varallo,
Gallagher,	Lopez,	Reidenbach,	White,

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 675, Printer's No. 375
Senate Bill No. 319, Printer's No. 192
Senate Bill No. 320, Printer's No. 193
Senate Bill No. 321, Printer's No. 194
Senate Bill No. 322, Printer's No. 195
Senate Bill No. 323, Printer's No. 196
Senate Bill No. 106, Printer's No. 479 and
Senate Bill No. 502, Printer's No. 294

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 387, as follows:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathis Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of

Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1649) is hereby further amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopathy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Osteopathic Examiners upon such evidence and proof shall cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performance of professional duties the violation of the practice of the principles of the system of osteopathy as defined in this act misrepresentation unethical conduct or misleading [or] fraudulent or unethical advertising [in the practice as determined by the board] including any form of pretense which might induce citizens to become a prey to professional exploitation Provided however That the foregoing shall not prevent the use of signs containing the name of any licensee and the words "Osteopathic Physician" or any abbreviation thereof Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice osteopathy in this state against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Hoopes,	Nagel,	Trachtman,
Coulson,	Howells,	Nelson,	Trent,
Coyle,	Hunter,	O'Brien,	Trout,
Cullen,	Huntley,	O'Connor,	Turbett,
Dague,	James,	O'Dare,	Turner,
Dalrymple,	Jones,	O'Donnell,	Varallo,
Dennison,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Komorofski,	Pettigrew,	Watkins,
Duffy,	Krise,	Pickens,	Weiss,
Dye,	Kurtz,	Polaski,	Welsh,
Elder,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Powers,	White,
Erb,	Lee,	Propert,	Wood, L. H.,
Ewing,	Leisey,	Readinger,	Wood, N.,
Finnerty,	Leonard,	Reagan,	Worley,
Flack,	Levy,	Reese, D. P.,	Wright,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yeakel,
Foor	Loftus,	Regan,	Yester,
Fox,	Longo,	Reidenbach,	Fiss,
Freed,			Speaker.

NAYS—2

Lopez,	Modell,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 473, Printer's No. 449
Senate Bill No. 578, Printer's No. 395
Senate Bill No. 642, Printer's No. 455
Senate Bill No. 197, Printer's No. 233
Senate Bill No. 57, Printer's No. 556 and
Senate Bill No. 687, Printer's No. 576

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 967, as follows:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages and confession of judgments and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All mortgages defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditaments within this Commonwealth and confession of judgments on a note bond or other instrument in writing shall have priority according to the date and time of recording or entering the same without regard to the time of making or executing such instruments

Section 2 It shall be the duty of the recorder to endorse the time upon the mortgage or defeasible deeds when left for record and to number the same according to the time they were left for record In the case of a confession of judgment entered on a note bond or other instrument in writing it shall be the duty of the prothonotary to endorse the time such judgment was entered on the instrument

Section 3 If two or more mortgages defeasible deeds or confessions of judgments are recorded or entered on the same day they shall have priority according to the time they are left for record or are entered as the case may be in the proper office No mortgage or defeasible deed shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid

Section 4 Any mortgage given by purchaser to seller for any part of the purchase money of the land so mortgaged shall have a lien from the time of delivery of said mortgage provided the same be recorded within thirty days from the date of the mortgage

Section 5 The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 440) entitled "An act relating to the lien of mortgages and defeasible deeds in the nature of mortgages and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage" is hereby repealed

Section 6 All other acts and parts of acts incomsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1287, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by requiring the furnishing of light and heavy weight uniforms to the Pennsylvania State Police.

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. COHEN. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 438, Printer's No. 497,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 750, as follows:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies

to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated or new institutions and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used

Whereas A committee of experts upon penal affairs appointed by the Governor has recommended a development of the State's penal system to include among other things the relocation of the Western State Penitentiary at Pittsburgh and the Eastern State Penitentiary at Philadelphia the establishment of classification centers for persons commited by the courts a relocation of the institution for mental defectives committed by the courts and a separation of male and female juveniles now committed to the Pennsylvania Training School and

Whereas A committee of experts upon institutional care of mental patients has recommended enlargement of present mental hospitals and other institutions and the possible establishment of additional institutions of this type and

Whereas Determinations as to the size to which to develop present institutions or locations for new institutions cannot be made without architectural and engineering studies particularly studies of water supply drainage and sewerage and requirements for sewage treatment and

Whereas Studies and plans are not now available and are difficult to complete because of the war and

Whereas The orderly progress of the State's postwar construction and employment program for which this Session of the General Assembly is appropriating upwards of sixty-five millions of dollars requires that construction proceed as soon after the war as the necessary plans and surveys can be made therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Welfare may recommend to the Governor the establishment of new institutions for the care of persons afflicted with mental disorders or for the detention of persons sentenced by the courts or the relocation of present institutions under the supervision of the Department of Welfare where it appears that a present institution is no longer fit for use or for reconstrution and that the conditions of its water supply sewerage location or environment justify its abandonment

Section 2 Upon receiving the recommendations of the Department of Welfare the Governor if he approves shall direct the Department of Property and Supplies to determine desirable sites within the area recommended by the Department of Welfare for the erection of such institutions Such sites shall provide ample water supply and be capable of adequate sewerage and drainage Consideration shall be given to the needs for expansion over a period of fifty years and the quality of soil and the acreage obtained shall be sufficient for the most productive agricultural employment of the type of persons for which the institution is planned

Section 3 After the Governor shall have approved a site from among those proposed by the Department of Property and Supplies the Department of Property and Supplies shall acquire the land and improvements thereon by purchase or by condemnation and shall proceed with the construction of necessary buildings and facilities following the recommendations of the Department of Welfare and the Governor's approval The cost of such land buildings and facilities shall be paid from appropriations made for such purpose

Section 4 Upon completion of the institution it shall be administered by the same board of trustees as was appointed for the institution which was relocated or in the case of a new institution by a board of trustees which shall be appointed and organized and shall conduct its affairs in accordance with the provisions of the Administrative Code of 1929 as amended The name for any new institution shall be selected by the Department of Welfare with the Governor's approval which shall be indicative of the political subdivisions in or near which such institution is located

Section 5 Admissions and commitments to any institution established or relocated under the provisions of this act and transfer release discharge or parole therefrom shall be subject to the same laws which govern the present institution of the same type under the supervision of the Department of Welfare The Deparment of Welfare shall have power to make all necessary rules and regulations not inconsistent with this act for the admission care detention employment discipline instruction treatment transfer release discharge or parole therefrom

Section 6 The Board of Commissioners of Public Grounds and Buildings shall advertise publicly in newspapers of general circulation for offers to purchase lands and buildings no longer used by the Commonwealth for institutional purposes and may make award and execute deed of conveyance to the highest responsible bidder The Board shall have the power to reject any and all bids and to postpone offer of sale from time to time The costs of sale shall be paid from the biennial appropriation for salaries and general expenses of the Department of Property and Supplies

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,

Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1128, entitled:

An Act relating to the sale transfer assignment and pledge of accounts receivable to make financial assistance possible through the assignment of accounts receivable and amounts due or to become due on open accounts or contracts whether or not debtors thereon are notified of such assignments providing for the rights of such debtors and providing that non-notification shall not affect or impair such assignment

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 437, Printer's No. 592 and

Senate Bill No. 508, Printer's No. 593,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 8 as follows:

An Act to authorize the Department of Commerce under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation

Whereas it is hereby declared that it is the policy of the General Assembly of the Commonwealth of Pennsylvania to support and implement the efforts of private industry to supply employment to supplement the employment-creating efforts of private enterprise through necessary and worthwhile public works and to develop and supply such public facilities and services as may be needed to protect and improve our American standard of living

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

"Department" means the Department of Commerce

"Political subdivision" means any county city borough incorporated town township school district vocational school district county institution district and municipal authority

Section 2 Any political subdivision of this Commonwealth may submit preliminary plans prepared by or for it to the department involving the construction reconstruction replacement addition improvement of public works including public buildings highways drainage and sanitary systems anti-stream pollution flood control airports parkways bridges waterways waterworks harbors parks recreation centers forest reservations slum clearance and housing

Section 3 If the department upon investigation and examination of the preliminary plans finds the project submitted to be worthwhile necessary and funds available it may enter into a written agreement with the political subdivision to pay fifty percent of the cost of preparation of detailed plans and specifications for said project Said agreement may among other things provide for periodic payments to the political subdivision of the sum agreed upon as the Commonwealth's contribution to the preparation of said detailed plans and specifications supervision or examination of the detailed plans and specifications during their preparation and such other provisions deemed necessary by the department to insure the proper expenditure of funds to be contributed by the Commonwealth All agreements shall be approved in writing by the Governor

Section 4 In reaching a decision concerning the preliminary plans submitted to it and during the period when detailed plans and specifications are being prepared the department shall as far as practicable utilize the services and facilities of existing administrative departments boards and commissions of the Commonwealth the universities colleges and other educational or endowed institutions of the Commonwealth and civic and other planning bodies of the Commonwealth

Section 5 The department shall make a detailed report to the General Assembly within one week after it convenes of all agreements entered into by it and the status of the work undertaken as a result of said agreements

Section 6 The moneys herein appropriated shall be ratably allocated by the department to the counties according to their respective populations as shall have been determined by the last preceding United States decennial census

Section 7 The provisions of this act shall not be deemed to repeal or impair any law now in effect and shall not curtail the powers and functions of any administrative department board or commission of the Commonwealth or of any political subdivision of the Commonwealth

Section 8 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Commerce for the purpose of this act

Section 9 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I direct the attention of the Majority Floor Leader to this bill. If he will read the title he will find that the Post War Planning Commission is at least mentioned.

Mr. LICHTENWALTER. Mr. Speaker, in reviewing the calendar I was just wondering if the gentleman from Philadelphia was aware of the fact that Senate Bill No. 8 mentioned the Post War Planning Commission.

If he had not mentioned something about it I assure the House that I would have.

Mr. COHEN. Mr. Speaker, I want to make clear to the

gentleman that he would not have been disappointed in me.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madden,	Riley,
Barton,	Gardner,	Madigan,	Robertson,
Baumunk,	Getchey,	Mahany,	Root,
Bentzel,	Gibson,	Matthews,	Rose,
Bonawitz,	Goodling,	McAtee,	Royer,
Boney,	Gore,	McClester,	Rudisill,
Boory,	Grant,	McCormack,	Salus,
Boorse,	Green,	McDowell,	Scanlon,
Bower,	Greenwood,	McKinney,	Schuster,
Brancato,	Greer,	McLanahan,	Serrill,
Breisch,	Guthrie,	McMillen,	Shaffer,
Brice,	Gyger,	McNair,	Shoemaker,
Brothers,	Haberlen,	McNally,	Sloan,
Brown,	Hall,	Mihm,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Snyder,
Burns,	Haudenshield,	Milliken,	Sollenberger,
Cadwalader,	Heatherington,	Mills,	Sorg,
Chervenak,	Helm,	Modell,	Stank,
Chudoff,	Hennihan,	Mooney,	Stockham,
Cohen,	Hering,	Moore, C. E.,	Stonier,
Coleman,	Herman,	Moore, W. J.,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,			Speaker.

NAYS—1

Moran,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 560, entitled:

An Act to amend sections three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

Senate Bill No. 724, Printer's No. 579, and

Senate Bill No. 404, Printer's No. 583

were passed over at the request of Mr. ANDREWS.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 87 entitled:

An Act to reenact and amend the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 141) entitled "An act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties" extending the effective period thereof

BILL DROPPED FROM CALENDAR

Mr. LICHTENWALTER. Mr. Speaker, I am informed by the Reference Bureau that we already passed a House Bill covering the legislation intended to be covered by Senate Bill 87, and it has been signed.

Therefore, I move that Senate Bill 87, Printer's No. 48 be dropped from the calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 88, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars ($25,000.00) or as much thereof as is necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-five to be used by the State Board for Vocational Education for the purpose of employing a qualified supervisor and clerical assistant providing necessary travel and maintenance and legal and other services as may be necessary in assisting the board in formulating rules and regulations conducting inspections proceeding reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private trade schools and classes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 157, as follows:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlement therof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any city of the third class has any municipal claim entered in the office of the prothonotary as a lien against real estate which said claim has existed for ten (10) years or more the said council is hereby authorized subject to the approval of the court of common pleas to agree with the said owner of such real estate to accept in compromise or reduction of the amount of the said claim and the interest charges expenses and fees added thereto and due thereon any sum less than the whole of such amount so due

Section 2 Upon receipt of the compromise amount so agreed upon and approved the city shall cause the lien to be properly satisfied on the record which satisfaction shall be as effective as if the whole amount of the claim interest charges expenses and fees had been paid and such claim shall no longer be a lien against the real estate or a claim against the said owner thereof

Section 3 The provisions of this act shall not apply to or in any manner affect any claims the assessments for which are the sole basis of improvement bonds issued by any political subdivision and which are the security for the payment thereof or to any claims the assessments for which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under terms of the contract for the improvement for which the assessment was levied

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,

Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coyle,	Howells,	Nagel,	Trent,
Coulson,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 191, as follows:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" establishing an additional route in the city of Altoona

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the city streets adopted as State highways in the city of Altoona by the act to which this is a supplement and in order to complete a two-way traffic State highway east and west through said city the following section of city streets in said city is hereby adopted to be taken over and to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations and conditions provided in the act to which this is a supplement

Beginning at the intersection of Seventh Avenue with Thirty-first Street and Sixth Avenue thence over Seventh Avenue in an easterly direction to the intersection of Seventh Avenue with Bellwood Avenue thence over Bellwood Avenue in a southeasterly direction to the intersection of Bellwood Avenue with Sixth Avenue and Kettle Street a distance of about 2.5 miles

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 312, as follows:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" increasing the pension of a blind person

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amendede to read as follows

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4) is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person (5) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be [thirty dollars ($30)] forty dallors ($40) per month Provided That any blind person with an actual income of twelve hundred dollars ($1200) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars ($5000) is not entitled to such pension And provided further That where a blind person has an income of less than twelve hundred dollars ($1200) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed twelve hundred dollars ($1200) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turner,
Dague,	James,	O'Connor,	Turbett,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 344, Printer's No. 495

Senate Bill No. 435, Printer's No. 181

Senate Bill No. 479, Printer's No. 314
Senate Bill No. 490, Printer's No. 493
Senate Bill No. 509, Printer's No. 575 and
Senate Bill No. 548, Printer's No. 435

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 599, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 11 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act or of any act hereby repealed and originals or copies of articles papers and other documents filed with the Department of State in accordance with the provisions of this act or of any act hereby repealed when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts herein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or non-existence of facts relating to corporations which would not appear from the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or non-existence of the facts therein stated

Section 2 Paragraph A of section two hundred two of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but [shall] must be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or an abbreviation thereof [or shall end with an abbreviation of one of these words] except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is [an administrative] a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" [or] "Commonwealth" "United States" or "Federal" nor shall the corporate name contain the word "college" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States

* * * * *

Section 3 Section nine hundred four of said act is hereby amended to read as follows

Section 904 Advertisement [The] Each constituent corporation shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the surviving or new corporation

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 4 Paragraph (2) of section one thousand two of said act is hereby further amended to read as follows

Section 1002 Restriction on Admission of Foreign Business Corporations The Department of State shall not issue a certificate of authority to any foreign business corporation

* * * * *

(2) The name of which is not expressed in English letters or characters or does not contain the word "corporation" "company" or "incorporated" or an abbreviation thereof [or end with an abbreviation of one of such words] as provided in this act in the case of domestic business corporations unless such corporation for use in this Commonwealth expresses its name in English letters or Characters and includes in or adds to the end of its name one of such words or an abbreviation thereof in the manner heretofore provided in this act

* * * * *

Section 5 Section one thousand three of said act is hereby amended to real as follows

Section 1003 Advertisement A foreign business corporation before it may procure a certificate of authority shall advertise its intention to apply for a certificate of authority by publication in a manner similar to that heretofore prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(a) A statement that the corporation will apply for a certificate of authority under the provisions of this act

[(a)] (b) The name of the corporation and of the state or country under the laws of which it is formed

[(b)] (c) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated

[(c)] (d) The address including street and number if any of its proposed registered office in this Commonwealth

[(d)] (e) The character and nature of the business it proposes to do within this Commonwealth

[(e)] (f) The date when its application for a certificate of authority will be presented to the Department of State

Section 6 Section one thousand seven of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority together with a copy of the amendment merger or change of name duly authenticated by the proper official of the state or county under the laws of which such corporation is organized and proof of the advertisement hereinafter required by this section [together with a copy of the proposed amendment as effected in the state or country of its incorporation duly certified by the proper public officer thereof] and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign business corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the [formation of a domestic business corporation] filing of an application for a certificate of authority Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall in addition to the foregoing requirements set forth briefly

[(1) The name of the corporation and of the state or country under the laws of which it is formed]

[(2)] (1) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

[(3)] (2) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate evidencing payment of bonus [or] taxes [or] and charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes

Section 7 Sections one thousand eight and one thousand nine of said act are hereby amended to read as follows

Section 1008 Amendments to Articles of Foreign Business Corporations Upon amendment of the articles of any foreign corporation authorized by a certificate of authority to transact business in this Commonwealth or upon the filing by said corporation of a certificate of change of principal office or other instrument required to be filed under the law of the State in which said corporation is organized such corporation shall forthwith file with the Department of State a copy of such amendment or certificate duly authenticated by the proper official of the state or county under the laws of which such corporation is organized The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwealth nor authorize such corporation to transact business in this commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinbefore provided in this article

Section 1009 Merger or Consolidation of Foreign Business Corporations A whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

B If such merger or consolidation requires the procurement of an amended certificate of authority the filing of a certified copy of such merger or consolidation with the application shall constitute full compliance with the requirements of this section

Section 8 Section one thousand fourteen of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1014 Penalty for Doing Business Without Certificate of Authority Any [person agent officer or employe who shall transact any business within this Commonwealth for any] foreign business corporation which is required by the provisions of this act to procure a certificate of authority but has not done so or any person agent officer or employe [of such foreign corporation who transacts] who shall transact any business within this Commonwealth for any foreign business corporation which has failed to procure [after] a certificate of authority or any foreign business corporation or any person agent officer or employe of such foreign corporation who transacts any business within this Commonwealth after a certificate of authority issued by the Department of State has been revoked cancelled or withdrawn as provided by this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days or by a fine not exceeding one thousand dollars ($1000) or both in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law

or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of two hundred fifty dollars ($250.00)

Section 9 Paragraph B of section one thousand fifteen of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 1015 Surrender of Certificate of Authority

* * * * *

B A foreign business corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic business corporation and shall procure from the proper department or departments a certificate or certificates evidencing payment by the corporation of all bonus taxes and charges payable to the Commonwealth The advertisement shall set forth briefly

(1) The name of the corporation and of the State or Country under the laws of which it is formed

(2) The address including street and number if any of its principal office in the State or Country under the laws of which it is incorporated

(3) The address including street and number if any of its present registered office in this Commonwealth

(4) The date when its application for a certificate of withdrawal will be presented to the Department of State

* * * * *

Section 10 Article ten of said act is amended by adding after section one thousand fifteen a new section to be known as section one thousand sixteen and to read as follows

Section 1016 Revocation of Certificate of Authority upon Receipt of Notice of Cancellation of Charter On receipt of a certificate of the proper officer of the State or Country under the laws of which it was organized certifying that the charter of any foreign corporation authorized to do business within the Commonwealth has been revoked or declared null and void it shall be the duty of the Secretary of the Commonwealth forthwith to revoke and cancel the certificate of authority previously granted to such corporation by the Department of State

Section 11 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEATHERINGTON. The Speaker, I notice in the last five or six roll calls you have two hundred seven votes recorded. I know that there are men who have not been here all week. Personally I do not think they should be on the roll call.

The SPEAKER. The Chair thanks the gentleman for calling attention to the Members being absent.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 600, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for serv-

ice required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign nonprofit corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding thereto after section eleven two new sections to be known as sections twelve and thirteen and to read as follows

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be in such form as shall be prescribed by that department

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act or of any act hereby repealed and all originals or copies of articles papers and other documents filed with the Department of State in accordance with the provisions of this act or of any act hereby repealed when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or nonexistence of facts relating to nonprofit corporations which would not appear from the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated

Section 2 Section two hundred two of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 631) is hereby further amended to read as follows

Section 202 The Corporate Name

A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is [an administrative] a Governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "gurantee" "cooperative" "State" [or] "Commonwealth" "United States" or "Federal" nor shall the corporate name contain the word "college" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications presribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States

B The corporate name shall not be the same as or deceptively similar to

(1) The name of any other domestic corporation or of any foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application to the Department of State for the registration of the name or unless such other domestic or foreign corporation has filed with the Department of Revenue a certificate of out of existence or unless such domestic or foreign corporation has failed for a period of three successive years to file with the Department of Revenue or with the Department of State a report or return required by law and failure to file with the Department of Revenue has been certified by the Department of Revenue to the Department of State Provided That nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other act of Assembly

C Nothing in this act shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the court of common pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county having jurisdiction over the corporation may upon the application of any person unincorporated association or corporation adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

E The exclusive right to the use of a corporate name may be reserved by

(1) Any foreign nonprofit corporation intending to transact business in this Commonwealth or intending to change its name or

(2) Any persons intending to organize a foreign nonprofit corporation and intending to have such corporation make application for a certificate of authority to do business in this Commonwealth

Such reservation shall be made by filing with the Department of State an application to reserve a specified corporate name executed by the applicant If the department finds that such name is available for corporate use it shall reserve the name for the exclusive use of the applicant for a period of sixty days The right to the exclusive use of a specified corporate name so reserved may be transferred to any person by filing with the Department of State a notice of such transfer executed by

the person for whom such name was reserved and specifying the name and address of the transferee

Section 3 Section two hundred four of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 631) is hereby further amended and sections seven hundred four eight hundred four and nine hundred three of said act are hereby amended to read as follows

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use the address including street and number if any of the proposed registered office of the corporation and a statement of the purpose for which it is to be formed and it shall be signed by at least five incorporators If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the incorporators a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the incorporators of this fact The Department of State shall keep a property indexed record of the registrations and cancellations of registrations provided for in this act

Section 704 Registration of Corporate Name If a proposed amendment to the articles is for the purpose of changing the corporate name the corporation shall make application to the Department of State for the registration of the proposed new corporate name The application shall set forth the name and [location] address including street and number if any of the registered office of the corporation the date of incorporation the act under which it was incorporated and the new name which the corporation desires to use [and the address of the registered office of the corporation] If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the corporation or its representative a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the corporation or its representative of this fact Upon application of any party interested either for or against the proposed amendment of the articles the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department

Section 804 Registration of Corporate Name If the name of the surviving corporation in the case of a merger or of the new corporation in the case of a consolidation is to be different from the name of either of the constituent corporations the constituent corporations shall make a joint application to the Department of State for the registration of the proposed name The application shall set forth the names and addresses including street and number if any [and location] of the registered offices of the constitutent corporations the date of incorporation and the act under which each was incorporated and the name which the surviving or new corporation desires to use and the address including street and number if any of the registered office of the surviving or new corporation If the Department of State finds that the proposed name is available for corporate use the Department shall register the name and shall issue to the corporations or their representative a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the Department shall refuse to register such name and shall forthwith notify the corporations or their representative of this fact Upon application of any party interested either for or against the proposed merger or consolidation the Department shall include in any certificate issued by it under this section any information desired as to the names registered with the Department

Section 903 Advertisement A foreign nonprofit corporation before it may procure a certificate of authority shall advertise its intention to apply for a certificate of authority by publication in a manner similar to that heretofore prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(a) A statement that the corporation will apply for a certificate of authority under the provisions of this act

[(a)] (b) The name of the corporation and of the state or country under the laws of which it is formed

[(b)] (c) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated

[(c)] (d) The address including street and number if any of its proposed registered office in this Commonwealth

[(d)] (e) The character and nature of the business it proposes to do within this Commonwealth

[(e)] (f) The date when its application for a certificate of authority will be presented to the Department of State

Section 4 Section nine hundred seven of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 631) is hereby further amended to read as follows

Section 907 Amended Certificate of Authority A After receiving a certificate of authority a foreign nonprofit corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority together with a copy of the amendment merger or change of name duly authenticated by the proper official of the state or country under the laws of which such corporation is organized proof of the advertisement hereinafter required by this section [a copy of the proposed amendment as effected in the state or country of its incorporation duly certified by the proper public officer thereof] and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes bonus and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign nonprofit corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the filing of an application for a certificate of authority [formation of a domestic nonprofit corporation] Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall in addition to the foregoing requirements set forth briefly

[(1) The name of the corporation and of the state or country under the laws of which it is formed]

[(2)] (1) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

[(3)] (2) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been compiled with that the certificate herein required evidencing payment of all taxes or bonus or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded

Section 5 Sections nine hundred eight and nine hundred nine of said act are hereby amended to read as follows

Section 908 Amendments to Articles of Foreign Nonprofit Corporations Upon amendment of the articles of any foreign nonprofit corporation authorized by a certificate of authority to transact business in this Commonwealth or upon the filing by the corporation of a certificate of change of principal office or other instrument required to be filed under the laws of the state or country in which such corporation is organized such corporation shall forthwith file with the Department of State a copy of such amendment or certificate duly authenticated by the proper official of [the] such state or country under the laws of which such corporation is organized and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth Provided however That if a certified copy of such amendment is filed in the Department of State with an application for an amended certificate of authority as required by section nine hundred seven of this act it shall not be necessary to file an additional copy of such amendment in the Department of State as otherwise required by this section The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwealth nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinbefore provided in this article

Section 909 Merger or Consolidation of Foreign Nonprofit Corporations Whenever a foreign nonprofit corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized [and] such corporation [shall] if it be the surviving corporation to such merger or the new or consolidated corporation formed or created thereby [it] shall forthwith file with the Department of State a copy of the articles of merger or consolidation duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 6 Section nine hundred thirteen of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 913 Penalty for Doing Business Without Certificate of Authority Any foreign nonprofit corporation which is required by the provisions of this act to procure a certificate of authority but has not done so or any person agent officer or employe [of a foreign nonprofit corporation] who shall transact any business within this Commonwealth for any [such] foreign nonprofit corporation which has failed to secure [without first obtaining] a certificate of authority or any foreign nonprofit corporation or any person agent officer or employe of such foreign nonprofit corporation [as provided in this article or] who transacts any business within this Commonwealth after a certificate of authority issued by the Department of State has been revoked cancelled or withdrawn as provided by this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days or [and] by a fine not exceeding one thousand dollars ($1,000.00) or [either] both in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of two hundred fifty dollars $250.00)

Section 7 Paragraph B of section nine hundred fifteen of said act is hereby amended to read as follows:

Section 915 Surrender of Certificate of Authority

* * * * *

B A foreign nonprofit corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic nonprofit corporation The advertisement shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated

(3) The address including street and number if any of its present registered office in this Commonwealth

(4) The date when its application for a certificate of withdrawal will be presented to the Department of State

Section 8 Article nine of said act is hereby further amended by adding thereto after section nine hundred fifteen the following new section to be known as section nine hundred sixteen

Section 916 Revocation of Certificate of Authority Upon Receipt of Notice of Cancellation of Charter On receipt of a certificate of the proper officer of the state or country under the laws of which it is incorporated certifying that the charter of any foreign nonprofit corporation authorized to do business within the Commonwealth has been revoked or declared null and void it shall be the duty of the Secretary of the Commonwealth forthwith to revoke and cancel the certificate of authority previously granted to such corporation by the Department of State

Section 9 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,

Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers	Wood L H.,
Finnerty,	Leonard,	Propert,	Wood N
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese D P.,	Yeakel,
Fox,	Longo,	Reese R E.,	Yester
Freed,	Lopez,	Reidenbach,	Fiss
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 618, Printer's No. 573

Senate Bill No. 614, Printer's No. 533

Senate Bill No. 623, Printer's No. 454 and

Senate Bill No. 702, Printer's No. 473

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 749, as follows:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention diagnosis care and treatment of rheumatic fever and rheumatic heart disease

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-thousand dollars ($120.000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the fiscal biennium beginning the first day of June one thousand nine hundred forty-five for the purpose of organizing projects for the adequate prevention diagnosis care and treatment of rheumatic fever and rheumatic heart disease in various counties of the Commonwealth where such fever or disease appears to be prevalent

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Cohen	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D P.,	Yeakel,
Fox	Longo,	Reese, R E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 752, Printer's No. 525 and

Senate Bill No. 762, Printer's No. 535

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 765, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to acquire by purchase or condemnation land or land and buildings in the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny for the purpose of obtaining or constructing suitable office buildings for use of the Commonwealth

Section 2 Upon acquisition of such properties the Department of Property and Supplies may alter improve or remodel the same so they may be utilized as modern offices for use of the Commonwealth

Section 3 Within the intent of this act the words "alter" "improve" and "remodel" shall include the construction of new buildings the altering improving adding to or replacing of existing buildings the purchase or construction of water supply systems electrical and other facilities the altering improving adding to or replacing of existing water supply systems electrical and other facilities the purchase and installation of all necessary equipment in new or remodeled buildings and the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 4 The sum of one million five hundred thousand dollars ($1,500,000) or as much thereof as is necessary is hereby appropriated to effectuate the purpose of this act

Section 5 The amount of the foregoing appropriation to be expended for or upon the acquisition altering improving or remodeling of any such property shall be determined by the Department of Property and Supplies with the approval of the Governor

Section 6 The Department of Property and Supplies shall operate and manage the buildings acquired or constructed under the provisions of this act and shall subject to the provisions of The Administrative Code of 1929 employ the necessary superintendents janitors mechanics and other employes purchase supplies and services and pay all other expenses If it deems it advisable the Department with the Governor's approval may contract with experienced and reputable companies for the operation of the buildings The expenses of the operation and maintenance shall be paid from the Purchasing Fund

Section 7 Space in the buildings shall be allocated to the several departments boards and commissions of the Commonwealth with the Governor's approval and for such occupancy the departments boards and commissions shall pay monthly to the Department of Property and Supplies a rental charge as approved by the Executive Board which shall approximate the rental paid in similar buildings under private ownership All moneys received by the Department of Property and Supplies arising out of the operation of the buildings shall be paid into the Purchasing Fund

Section 8. This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolanklewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 769, Printer's No. 536,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 770, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land known as the Orvill Munson farm consisting of approximately one hundred acres with residence and buildings thereon situated in Canaan Township Wayne County Pennsylvania and surrounded on three sides by the present property of said hospital in order to make the same available for use by said hospital

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Farview State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of three thousand dollars ($3,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney	Stank,
Chudoff,	Hering,	Moore, C. E.,	Stockham,
Cohen,	Hennihan	Moore, W. J.,	Stonier,
Coleman	Herman,	Moran,	Stuart,
Cook	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,		Wright,
Foor,	Loftus,	Reagan,	Yeakel,
Fox,	Longo,	Reese, D. P.,	Yester,
Freed,	Lopez,	Reese, R. E.,	Fiss,
Frost,	Lovett,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies.			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 784, Printer's No. 537,

was passed over at the request of Mr. FLEMING;

Senate Bill No. 771, Printer's' No. 527 and

Senate Bill No. 776, Printer's No. 526,

were passed over at the request of the SPEAKER.

BILLS NOT ON FILE

The SPEAKER. The Amended Bills on Third Reading on pages 25, 26, 27, 28, and 29, are not on file and will be passed over for the present.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 658

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 658, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder.

And has appointed Messrs. Berger, Letzler and Klein a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 806.

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 7, line 28, by inserting a light faced bracket before the word "owned" and after the word "rented"; also in same line by inserting after the word "rented" the word "maintained".

Amend Section 3, page 11, line 12, by inserting after the word "enactment" the following: "provided that nothing herein contained shall be construed to effect modify or repeal Section 2 of the said Act of the twenty-seventh day of May one thousand nine hundred forty-three Pamphlet Laws seven hundred sixty-two."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, the remarks I have to make, of course, are directed only to the amendments to House Bill 806, Printer's No. 713 inserted by the Senate.

The Members will remember that when House Bill 806 was here on final passage this side protested and voted against the bill. Our only problem now is the matter of the amendment. The amendment is a saving clause for the Act that passed in 1943 and was put into the bill to avoid any question of doubt about the effective date of House Bill 806 in the 1943 session.

In order to clarify and make certain that the Department does not get jammed up in the collection of taxes we do not object to the amendment, but I might remind the Members that the bill in 1943 was what was probably pronounced as the first post-war planning project for Pennsylvania, a saver for the corporations of Pennsylvania in the capital stock tax on corporations for manufacturing purposes.

I think the Members of the House ought to know that in passing on the taxes this year, you did not give them all the reduction this year; you gave them a reduction last year to take effect when the war is over. When you are thinking about spending money, getting rid of money in the bank today from your income, do not forget that your income is going to start dropping rapidly just as soon as the war is over.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madden,	Riley,
Barton,	Gardner,	Madigan,	Robertson,
Baumunk,	Getchey,	Mahany,	Root,
Bentley,	Gibson,	Matthews,	Rose,
Bonawitz,	Goodling,	McAtee,	Royer,
Boney,	Gore,	McClester,	Rudisill,
Boorse,	Grant,	McCormack,	Salus,
Boory,	Green,	McDowell,	Scanlon,
Bower,	Greenwood,	McKinney,	Schuster,
Brancato,	Greer,	McLanahan,	Serrill,
Breisch,	Guthrie,	McMillen,	Shaffer,
Brice,	Gyger,	McNair,	Shoemaker,
Brothers,	Haberlen,	McNally,	Sloan,
Brown,	Hall,	Mihm,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Snyder,
Burns,	Haudenshield,	Milliken,	Sollenberger,
Cadwalader,	Heatherington,	Mills,	Sorg,
Chervenak,	Helm,	Modell,	Stank,
Chudoff,	Hennihan,	Mooney,	Stockham,
Cohen,	Hering,	Moore, C. E.,	Stonier,
Coleman,	Herman,	Moore, W. J.,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,			Speaker.

NAYS—1

Moran,

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 501.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct

of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties by revising and changing the provisions of said act relating to the time of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 656.

An Act to amend clause (a) of section three hundred one clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

SENATE BILL No. 657.

An Act to further amend clauses (a) (b) (c) (f) and (h) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

SENATE BILL No. 718.

An Act to add section three hundred six and one-tenth to the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) entitled "An act to further reenact and amend the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of reemployment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' changing maximum and minimum rates periods total amounts and aggregate of compensation changing the system of computation of wages for compensation purposes changing practice and rules of evidence defining earning power after accident authorizing the board to terminate compensation in certain cases changing the classes of dependents entitled to compensation in case of death increasing powers and duties of the board and imposing additional penalties authorizing the department the board and the referees to approve compromise agreements in certain cases and generally amending clarifying and changing the provisions of said act" providing for payment in second injury cases and making an appropriation

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 106, entitled:

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of the money derived from such increase

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I desire to call the attention of the Members of the House, particularly the ones on this side, that this is a bill in which various sportsmen have expressed an interest, and if any of them have anything to say I hope they say it now.

Mr. HEATHERINGTON. I would like to have someone explain this bill.

Mr. ELDER. Mr. Speaker, when this bill first came on to the Senate calendar, it carried with it a strictly purchase clause for the purchase of land containing streams, ponds and dams and things of that type. It was sent into the Committee on Fisheries in the House and referred to a subcommittee for further study. After questioning and contacting a great many of the sportsmen's organizations of the State of Pennsylvania it was decided to amend this bill and allow the increase and use it for the propogation and distribution of fish.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, referring to Senate Bill 106, does the gentleman have any communication from the Allegheny County Sportsmen on it?

Mr. FLEMING. Mr. Speaker, I had several. I will have to plead guilty to neglect or something. That's why I am rushing around here. I was trying to find out if the bill was amended to suit the Allegheny County Sportsmen's League. I agree with the gentleman from Allegheny that they were opposed to it if certain amendments were not inserted. I was just on my road over to see him and find out from him or from Mr. Shaffer or someone whether those amendments had been inserted. I wonder, Mr. Speaker, if it might be possible just for a moment to pass over the bill.

The SPEAKER. If there be no objection the bill will be passed over. Is there objection?

Mr. LICHTENWALTER. Mr. Speaker, I have no objections. I consulted with the gentleman from Lycoming when the bill was being amended. I wanted it called up, so that if there would be any necessity for a conference, or anything to be ironed out, it would not be one of the last bills considered. That was my reason for calling it up at this time. It is just a matter of saving time and getting action on it at this time.

Mr. HEATHERINGTON. I have a letter here from the Allegheny County sportsmen that tells us this bill has been reported out of Committee with an amendment and it is not satisfactory to the sportsmen.

Mr. LICHTENWALTER. I realize this is not interrogation, but I would like to inform the gentleman that I have a letter from the Federated Group of Sportsmen back in my county, and I know they see eye to eye with the gentleman from Allegheny, and that is one of the reasons I am calling the bill up at this time, because if there is disagreement about the amendment, the matter can be ironed out in conference. That is the reason I am calling it up. My county agrees with yours and it is just a matter of getting it in the position that we can iron out any differences if any exist.

Mr. HEATHERINGTON. I thank the gentleman.

Mr. FLEMING. Mr. Speaker, after a hurried consultation with my colleagues I would like to withdraw my request that you pass it over and would request that you proceed with it now.

Mr. DIX. Mr. Speaker, as Chairman of the Committee, I would like to explain that the Fish Commission already has the right to purchase streams, and I understand this amendment, due to the fact that the Commission already has that right. The only change that the amendment makes is not to earmark this money for the purchase of streams but to be devoted to propagation and other purposes.

Mr. PETROSKY. Mr. Speaker, what is the objection that the sportsmen have to the legislation as it is before us? If the Majority Leader assures us that the thing will be ironed out in conference, I feel that we can go along with this bill as amended and put it in conference committee and then iron out this amendment that has been inserted in the Committee of the House. If we can have the assurance from the gentleman from Lehigh, Mr. Lichtenwalter, I feel that we can go along with the bill and then have it ironed out in conference committee.

Mr. BARTON. Mr. Speaker, I think there is still a lot of confusion about this bill. This bill as it came over from the Senate had the fifty cent increase earmarked for the purchase of land, to which I think most of the sportsmen of the state are opposed. That bill was amended in the House by the earmarking of the fifty cent increase for the propogation of fish. The earmarking of that fifty cents does not mean a cent to the sportsmen of the state, because now they have a dollar fifty cents to spend any way they want to spend it, and if the fifty cent increase was earmarked for the propogation of fish then they would simply take away some other funds that they had used for the propagation of fish and use this fifty cents. I think if you go into conference on this bill it is very likely that the bill will get back to its original form, to earmark the fifty cents for the purchase of land. I am not telling anybody how to vote on this bill except I am going to vote "no."

Mr. LICHTENWALTER. Mr. Speaker, I do not wish to prolong the debate, but the gentleman from Westmoreland has raised the question, and just to clarify my friend Bob Barton here, if there is disagreement and a conference committee would decide to report the bill back again as it came from the Senate we would still have to vote on the conference report, and this vote here would not register our approval or disapproval of the report of the conference committee. I just want to clear that up. As for the gentleman from Westmoreland, of course, I cannot guarantee what the conference will do, but in order to bring the matter to some conclusion, since there are two schools of thought, I think the only way we can do that is to clear the bill from the calendar and go into conference.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, these amendments were put in in the House, is that not right?

Mr. LICHTENWALTER. That is correct.

Mr. HEATHERINGTON. What shall we do, Mr. Speaker, if the Senate agrees with our amendments?

Mr. LICHTENWALTER. Then again we have the conference report. It would be a matter for the House to decide—pardon me, if the Senate will agree with the House amendment, I say that we are then behind the eight ball.

Mr. HEATHERINGTON. Mr. Speaker, I am very sorry but I would like to have you pass over this bill until both sides get together and agree what to do.

BILL PASSED OVER

There being no objection

Senate Bill No. 106, Printer's No. 479

was passed over at the request of Mr. HEATHERINGTON.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1209.

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals providing for the licensing of such business and the cancellation of such licenses authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 17, page 6, line 23, by striking out after the word "within" the word "twenty-four" and inserting in lieu thereof the word "forty-eight".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentzel,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT

The SPEAKER. The Chair would like to announce the plans for today.

It is the program of the two parties that the Republicans and the Democrats will caucus immediately, the House to take a recess until 2:30, if the Chair hears no objection.

Mr. ANDREWS. Mr. Speaker, can we make the recess to three o'clock?

The SPEAKER. The time of recess will be extended to three o'clock, but please be back promptly. There are important bills to be taken up.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 3.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

SENATE BILL No. 4.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

SENATE BILL No. 9.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

SENATE BILL No. 10.

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims of persons injured and dependent relatives members of families and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard.

SENATE BILL No. 16.

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

SENATE BILL No. 17.

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

SENATE BILL No. 22.

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty

SENATE BILL No. 29.

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund

SENATE BILL No. 32.

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase condemnation or gift the construction and equipment and furnishing of any buildings and the alteration removal remodeling or replacing of existing buildings to be used for barracks and training facilities for the Pennsylvania State Police

SENATE BILL No. 42.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

SENATE BILL No. 43.

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

SENATE BILL No. 49.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

SENATE BILL No. 51.

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

SENATE BILL No. 54.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

SENATE BILL No. 60.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

SENATE BILL No. 64.

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

SENATE BILL No. 67.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

SENATE BILL No. 73.

An Act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for postwar repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation

SENATE BILL No. 90.

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research

SENATE BILL No. 101

An Act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines

SENATE BILL No. 111.

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth

SENATE BILL No. 165.

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

SENATE BILL No. 166.

An Act making an appropriation to the Nursing School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

SENATE BILL No. 180.

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia Pennsylvania for the purpose of replacing and renewing certain equipment and machinery

SENATE BILL No. 208.

An Act to further amend Section one of the act approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by modifying the procedure for the collection and payment of the tax.

SENATE BILL No. 209.

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax

SENATE BILL No. 219.

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor

SENATE BILL No. 294.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement or nutritional status of industrial workers and other civilians

SENATE BILL No. 446.

An Act to further amend section one thousand nine hundred two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts.

SENATE BILL No. 448.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of California State Teachers' College to acquire a tract of land for the use of California State Teachers' College and making an appropriation therefor

SENATE BILL No. 480.

An Act making an appropriation to the Pennsylvania Historical Commission for the furnishing of "Pennsbury Memorial."

SENATE BILL No. 536.

An Act authorizing the Department of Forests and Waters with the approval of the Governor to acquire certain tracts of land for the use of said department and making an appropriation therefor

SENATE BILL No. 643.

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period.

SENATE Bill No. 646.

An Act re-appropriating for additional purposes, moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap.

SENATE BILL No. 652.

An Act to amend the title and further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" extending the provisions thereof to the Pennsylvania State Guard and making changes with respect to advance in grade of retiring officers and enlisted men

SENATE BILL No. 653.

An Act to amend the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select procure furnish and award certain decorations medals and badges" providing for additional decorations medals and badges and changing the procedure for awarding the same

SENATE BILL No. 666.

An Act to further amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" by changing the name of the Pennsylvania State Guard to Pennsylvania Guard and increasing the amount of allowances permitted for officers uniforms and equipment

SENATE BILL No. 680.

An Act to further amend section one of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" as amended by eliminating the requirement that designations assigned by the Secretary of Highways shall be the official designations for all purposes

SENATE BILL No. 701.

An Act to amend section three of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 214) entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien providing for the payment of the cost of such acquisitions and making an appropriation" by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt interest and costs due the Commonwealth

SENATE BILL No. 726.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College to acquire a tract of land for the use of Millersville State Teachers College and making an appropriation therefor

SENATE BILL No. 746.

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

SENATE BILL No. 459.

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

SENATE BILL No. 465.

An Act to further amend section one of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by defining the word "vehicle."

SENATE BILL No. 732.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating in the Department of Welfare boards of trustees for certain penal, correctional and delinquent defective institutions, defining their powers and duties and changing the powers and duties of certain other penal, correctional and defective delinquent institutions.

HOUSE BILL No. 501.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

HOUSE BILL No. 806.

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in the Commonwealth

HOUSE BILL No. 1209.

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals providing for the licensing of such business and the cancellation of such licenses authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department and providing pealties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 3 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 3 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence 68, 138, 337, 633.

Amended Senate Bills concurred in by Senate 604, 573, 574.

Resolution recalling bill from Governor concurred in House Bill 884.

Appointment of Conference Committee on House Bill 62.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 660

Mr. ROOT. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 660, Printer's No. 776.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 660, entitled: "An act to add section thirty-one point one, and to repeal in part section thirty-two of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled 'An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed

therefor; the methods for preserving such liens, and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly,' further regulating the sale of real property for the non-payment of tax and municipal claims in counties of the first class; providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale; and eliminating the right of redemption after such sales,"

Respectfully submit the following bill as our report:

A. Evans Kephart,
Louis H. Farrell,
Maxwell S. Rosenfeld,
(Committee on the part of the Senate.)

Morris J. Root,
John R. McCormack,
Earl Chudoff,
(Committee on the part of the House of Representatives.)

An Act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the proceedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" is hereby amended by adding thereto after section thirty-one a new section to read as follows

Section 31.1 In addition to the remedy prescribed in sections twenty-eight and thirty-one of this act whenever a claimant in any county of the first class has obtained a judgment upon its tax or municipal claim it may file its petition in the court in which the proceeding is pending setting forth the facts necessary to show the right to sell together with searches or a title insurance policy showing the state of the record and the ownership of the property and of all tax and municipal claims mortgages ground rents or other charges on or estates in the land as shown by the official records of the county or the political subdivision in which the real estate is situate and thereupon the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages ground rents charges and estates and without any right of redemption after such sale If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that contemporaneously with the service of the rule on the parties respondent notice of the rule has been published by the claimant in at least one newspaper of general circulation in the county and in a legal periodical published therein if any and that the facts stated in the petition be true it shall order and decree that said said property be sold at a subsequent sheriff's sale at a time to be fixed thereafter by the claimant at least one year after the date of the decree clear of all claim liens mortgages ground rents charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims liens mortgages ground rents charges and estates and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages ground rents charges and estates of whatsoever kind and not thereafter subject to any right of redemption Advertisement of such sale shall be made and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff Provided however That any person interested may at any time prior to the proposed sale pay all the costs of the proceedings including a reasonable fee for the necessary title search or title insurance policy to be fixed by the court and all tax and municipal claims penalties and interest thereon charged against the property whereupon the proceedings on petition shall at once determine notice of this proviso shall be included with each service and in each publication of the aforesaid rule

For the purpose of enabling the petitioner in any such proceeedings to give the notice required it may take the testimony of the defendant in the claim or of any other person whom it may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory

Any claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and if such purchaser shall be a taxing authority within the county such property while held and owned by such taxing authority shall not be subject to tax claims

Upon the delivery by the sheriff of a deed for any property sold under the provisions of this section the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive and the validity thereof shall not be questioned for any cause whatsoever

Section 2 Section thirty-two of said act is hereby repealed insofar as it is inconsistent with the provisions of this amendment

All acts and parts of acts inconsistent with the provisions of this amendment are hereby repealed

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Madden,	Reilly,
Baker,	Gaffney,	Madigan,	Reynolds,
Barrett,	Gallagher,	Mahany,	Riley,
Barton,	Gardner,	Matthews,	Rose,
Baumunk,	Getchey,	McAtee,	Robertson,
Bentzel,	Gibson,	McClester,	Root,
Bonawitz,	Goodling,	McCormack,	Royer,
Boney,	Gore,	McDowell,	Rudisill,
Boorse,	Grant,	McKinney,	Salus,
Boory,	Green,	McLanahan,	Scanlon,
Bower,	Greenwood,	McMillen,	Schuster,
Brancato,	Greer,	McNair,	Serrill,
Breisch,	Guthrie,	McNally,	Shaffer,
Brice,	Gyger,	Mihm,	Shoemaker,
Brothers,	Haberlen,	Mikula,	Sloan,
Brown,	Hall,	Miller,	Smith,
Brunner, C. H.,	Hamilton,	Milliken,	Snider,
Brunner, P. A.,	Hare,	Mills,	Snyder,
Burns,	Haudenshield,	Modell,	Sollenberger,
Cadwalader,	Heatherington,	Mooney,	Sorg,
Chervenak,	Helm,	Moore, C. E.,	Stank,
Chudoff,	Hennihan,	Moore, W. J.,	Stockham,
Cohen,	Hering,	Moran,	Stonier,
Coleman,	Herman,	Moser,	Stuart,
Cook,	Hersch,	Munley,	Swope,
Cooper,	Hewitt,	Murray, M. L.,	Tahl,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Lovett,	Speaker.
Frost,	Lyons,		

NAYS—1

Tate,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE RESOLUTION No. 60

Mr. ROYER. Mr. Speaker I call up House Resolution No. 60, Printer's No. 775, on page 29 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 25, 1945.

In a glass case in a room in the Museum Building there are now displayed the regimental flags of several Confederate Regiments

They represent the valor of the Pennsylvania organizations which were responsible for their capture but the years have paled the flags and although the valor and bravery of those who captuured them has not dimmed the reason for the retention of those flags as evidence of that valor and bravery is no more

The Nation exists today united and undivided and the flags that now are displayed in our Museum are as much a part of the records and archives of the States whose men at arms carried them into battle as they are of Pennsylvania whose soldiers carried them out of battle It is therefore fitting that they should now be returned to the States from which they came therefore be it

Resolved (if the Senate concurs) by the General Assembly of the Commonwealth of Pennsylvania that His Excellency the Governor of the Commonwealth is hereby requested and authorized to have the flags of the several Confederate Regiments that are now on display in the Museum Building removed therefrom and that after the said flags have been repaired and made safe for transport that His Excellency the Governor shall at a time and place and in such manner as he deems proper return the said flags into the custody of the States whose regiments carried them in order that they may there be preserved as mementos of those regiments

Resolved That a copy of this resolution shall be transmitted to His Excellency The Governor by the Chief Clerk of the House of Representatives

On the question,

Will the House adopt the resolution?

Mr. LEVY. Mr. Speaker, I understand yesterday House Resolution No. 60 was amended.

The SPEAKER. That is correct.

Mr. LEVY. Is the amended resolution now on the desks, Mr. Speaker?

The SPEAKER. The Chair is informed it is.

Mr. WELSH. Mr. Speaker and Members of the House, I regretfully rise at this time to call your attention to the sentiment and to the service involved in this resolution. I think there has hardly been a time when I have passed up the stairs to the elevator coming to this House but that I have looked at these flags in the cases just under the stone stairway leading up to the dome, with the dome looking down and shedding its light upon those flags.

I recognize that the gentleman who has fathered this resolution has an idealistic thought in mind, and yet we are giving these flags away, we are returning them from whence they came. We cannot do that; they belong to Pennsylvanians who gave their lives, Pennsylvanians who gave their blood and have long since died. We can do no good by returning them to their original owners any more than we could do any good by returning the flags which our boys have recently captured in Europe or captured in Japan. I do not say this with any ill feeling toward the sponsor, but I call your attention to the fact that these war flags, captured in the Civil War, are not our property, we are only holding them for those who fought and died and those who triumphantly brought them home, not with a spirit of hatred but simply with a feeling that they had accomplished the mission they started out to do, and as a result of that work they brought back the flags which they asked us to save in this Commonwealth for our children, for all children to look upon as symbols of the bravery and sacrifice of Union soldiers.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWN. Mr. Speaker, Resolution 60, Printer's No. 775 was amended yesterday. I am asking whether

or not when the resolution is sent to those for whom it is intended, could it be printed without the brackets and with the matter that has been deleted taken out?

The SPEAKER. For the information of the gentleman from Allegheny, Mr. Brown, when the final copy is printed the parts in brackets will be striken out and will not be included.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 63

Mr. MAHANY. Mr. Speaker, I call up House Resolution No. 63, Printer's No. 781, on page 29 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 1, 1945.

Resolved That the General Assembly of the Commonwealth of Pennsylvania hereby requests the Joint State Government Commission to make a thorough investigation and study of the conditions practice and laws of this Commonwealth relating to child welfare and to children especially to those which relate to the dependent defective delinquent neglected incorrigible or illegitimate children or to their treatment care maintenance custody control or protection and reformation and to report to the General Assembly not later than March 1st nineteen hundred forty-seven the result of such study and investigation and to accompany such report with its recommendations as to any legislation necessary to carry out such recommendations

For these purposes the Joint State Government Commission of the General Assembly shall have the power to compel the appearances of witnesses and the production of books papers and records and to issue proper subpoenas for the attendance of witnesses and the production of books papers records and any and all other writings deemed necessary for the fulfillment of the duties prescribed by this resolution

On the question,

Will the House adopt the resolution?

It was adopted.

HOUSE RESOLUTION No. 62

Mr. TROUT. Mr. Speaker, I call up House Resolution No. 62, Printer's No. 780, on page 29 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 26, 1945.

Be It Resolved (If the Senate concurs) That there is hereby created a special committee to consist of five members of the House of Representatives to be appointed by the Speaker of the House and five senators to be appointed by the President pro tempore of the Senate the duty and authority of which committee shall be to make upon the part of the General Assembly a careful thorough and impartial study and exaxmination of

(1) the various laws and statutes of the Commonwealth pertaining or relating to the jurisdiction duties and powers of the Department of Highways its officers employes and personnel and

(2) the various laws and statutes of the Commonwealth pertaining or relating to the construction maintenance and supervision of highways and bridges in the Commonwealth and

(3) the regulations practices records and activities of the Department of Highways of the Commonwealth in relation to the administration of the duties and powers vested in such department as well as in connection with the construction maintenance and supervision of highways and bridges

The committee is hereby authorized and directed to take testimony of such witnesses and to examine such papers and records as the committee may deem necessary to effectuate its study and examination

This committee shall have the power to sit and continue its studies and investigations after the adjournment of this current session of the General Assembly

During the interim between the current and the next regular session of the General Assembly this committee may from time to time report to the Governor of the Commonwealth their findings and recommendations and such committee shall report to the General Assembly at its next regular session its findings and its recommendations as to such changes revisions or improvements as it may find to be necessary or desirable to correct any imperfections insufficiencies and defects in the law and statutes or to correct any abuses and evils in the administration of the affairs of the said Department of Highways

The committee shall have the right and authority to request any person or persons to appear before them and to answer any questions touching on matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary

The Secretary of Highways and his Department are hereby requested to furnish unto said committee such information and such assistance as the committee may require and request and the Secretary of Highways is requested to authorize and direct the appearance before said committee of such persons officers officials or employes of the Department as the committee may designate and request

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 548

Mr. COHEN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 548, Printer's No. 777.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 548, entitled, "An Act providing that when tthe contract of a fiduciary is made by him or approved by court, inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it"

Respectfully submit the following bill as our report:

Clarence D. Becker,
Wallace S. Gourley,
James S. Berger,
(Committee on the part of the Senate.)

Reuben E. Cohen,
Thomas H. Lee,
John H. McKinney,
(Committee on the part of the House of Representatives.)

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve

the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When a fiduciary shall hereafter make a contract not requiring approval of court or when the court shall hereafter approve a contract of a fiduciary requiring approval of court neither inadequacy of consideration nor the receipt of an offer to deal on other terms shall except as otherwise agreed by the parties relieve the fiduciary of the obligation to perform his contract or shall constitute ground for any court to set aside the contract or to refuse to enforce it by specific performance or otherwise Provided that this act shall not affect or change the inherent right of a court to set aside a contract for fraud accident or mistake

Section 2 Nothing in this act shall affect the liability of a fiduciary for surcharge on the ground of negligence or bad faith in making a contract

Section 3 This act shall become effective immediately on final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dillon,	James,	O'Brien,	Turbett,
Dague,	Jones,	O'Connor,	Turner,
Dalrymple,	Kennedy,	O'Dare,	Varallo,
Dennison,	Kirley,	O'Donnell,	Verona,
Depuy,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner
Dye,	Komorofski,	Pentrack,	Waterhouse,
Dougherty,	Krise,	Petrosky,	Watkins,
Duffy,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 4, 1945.

Resolved (if the Senate concur), that House Bill No. 884, Printer's No. 430, entitled "An act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health" be recalled from the Governor for the purpose of amendment

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 573.

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundreed fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

SENATE BILL No. 574.

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

SENATE BILL No. 604.

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 62

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels for a limited time providing for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions and imposing duties on the Department of Highways

And has appointed Messrs. Snowden, Bowers and Dent a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bills.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 528, as follows:

An Act to further amend subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the transportation of loads in excess of seating capacity of motor vehicles for the carriages of passengers for hire

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(f) It shall be unlawful for any person to transport on a motor vehicle trailer or semi-trailer operated for the carriage of passengers for hire a load of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than [ten] thirty-five consecutive miles

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,

Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 538, as follows:

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" is hereby amended to read as follows

Section 8 The county board of election upon receipt of such official military ballots shall safely keep the same with other official military ballots until such time as the members of the county board of election shall canvass count and dispose of official military ballots in the manner for or hereafter authorized by law

The county board of election shall post an alphabetically arranged list in a conspicuous place at its office setting forth the name residence the local voting district and ward of every elector who has voted in his local voting district by official military ballot This list shall be attached to the military file and shall be posted before the day fixed by law for the canvassing of official military ballots This posted list shall not contain the elector's military address or military organization Copies of such list shall be furnished [upon request to the county chairman of each political party and political body and shall also be furnished] to registration commissions

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nagel,	Wachhaus,
Dix,	Huntley,	Nelson,	Wagner,
Dye,	James,	O'Dare,	Waterhouse,
Elder,	Kennedy,	Pickens,	Watkins,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Krise,	Reagan,	Wood, L. H.,
Flack,	Kurtz,	Reese, D. P.,	Wood, N.,
Fleming,	Laughner,	Reilly,	Worley,
Foor,	Lee,	Riley,	Yeakel,
Fox,	Leisey,	Robertson,	Fiss,
Freed,	Lichtenwalter,	Root,	Speaker.
Frost,	Loftus,	Royer,	

NAYS—93

Andrews,	Gallagher,	McLanahan,	Readinger,
Baker,	Gore,	McNair,	Reese, R. E.,
Barrett,	Grant,	McNally,	Reidenbach,
Bentzel,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Mills,	Rose,
Boory,	Hamilton,	Modell,	Rudisill,
Brancato,	Heatherington,	Mooney,	Scanlon,
Brothers,	Hennihan,	Moore, W. J.,	Schuster,
Brown,	Hering,	Moran,	Shaffer,
Brunner, P. A.,	Herman,	Munley,	Skale,
Burns,	Hersch,	Murray, M. L.,	Snider,
Chervenak,	Hunter,	Myhan,	Stank,
Chudoff,	Jones,	O'Brien,	Swope,
Cohen,	Kirley,	O'Connor,	Tate,
Coleman,	Kolankiewicz,	O'Donnell,	Trachtman,
Corrigan,	Komorofski,	O'Neill,	Trent,
Coyle,	Lane,	Owens,	Varallo,
Cullen,	Leonard,	Pentrack,	Verona,
Dillon,	Levy,	Petrosky,	Weiss,
Dougherty,	Longo,	Pettigrew,	Welsh,
Duffy,	Lopez,	Polaski,	White,
Elish,	Lovett,	Polen,	Wright,
Finnerty,	Matthews,	Powers,	Yester,
Gaffney,			

NOT VOTING—4

Bentley,	Boies,	Hoggard,	Regan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 539, as follows:

An Act to amend Section nine of the Act approved the fifth day of May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the fifth day of May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" is hereby amended to read as follows

Section 9 Each county board of election shall post in a conspicuous public place at its office a master alphabetically arranged list setting forth the name residence and the local voting district or ward of every elector to whom an official military ballot has been sent This posted list shall not contain the elector's military address or military organization This list shall be known as the "Military File" and shall be posted forty-five days before the election day involved and shall also set forth the total number of such ballots prepared for use in such election and a supplemental list shall be posted five days before the election day involved Copies of such military files shall be furnished upon request to the county chairman of each political party and political body and shall also be furnished to registration commissions

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nagel,	Wachhaus,
Dix,	Huntley,	Nelson,	Wagner,
Dye,	James,	O'Dare,	Waterhouse,
Elder,	Kennedy,	Pickens,	Watkins,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Krise,	Reagan,	Wood, L. H.,
Flack,	Kurtz,	Reese, D. P.,	Wood, N.,
Fleming,	Laughner,	Reilly,	Worley,
Foor,	Lee,	Riley,	Yeakel,
Fox	Leisey,	Robertson,	Yiss,
Freed,	Lichtenwalter,	Root,	Speaker.
Frost,	Loftus,	Royer,	

NAYS—87

Andrews,	Finnerty,	Mihm,	Reidenbach,
Baker,	Gaffney,	Mills,	Reynolds,
Barrett,	Gallagher,	Modell,	Rose,
Bentzel,	Gore,	Mooney,	Rudisill,
Boney,	Grant,	Moore, W. J.,	Scanlon,
Boory,	Green,	Moran,	Schuster,
Brancato,	Haberlen,	Munley,	Shaffer,
Brothers,	Hamilton,	Murray, M. L.,	Skale,
Brown,	Jones,	Myhan,	Snider,
Brunner, P. A.,	Kirley,	O'Brien,	Stank,
Burns,	Kolankiewicz,	O'Connor,	Swope,
Chervenak,	Komorofski,	O'Donnell,	Tate,
Chudoff,	Lane,	O'Neill,	Trachtman,
Cohen,	Leonard,	Owens,	Trent,
Coleman,	Levy,	Pentrack,	Varallo,
Corrigan,	Longo,	Petrosky,	Verona,
Coyle,	Lopez,	Pettigrew,	Weiss,
Cullen,	Lovett,	Polaski,	Welsh,
Dillon,	Matthews,	Polen,	White,
Dougherty,	McLanahan,	Powers,	Wright,
Duffy,	McNair,	Readinger,	Yester,
Elish,	McNally,	Reese, R. E.,	

NOT VOTING—10

Bentley,	Hennihan,	Hersch,	Hunter,
Boies,	Hering,	Hoggard,	Regan,
Heatherington,	Herman,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 578, as follows:

An Act to further amend subsection (b) of section nine hundred thirteen and section nine hundred seventy-eight point one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating certain filing fees required by said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section nine hundred thir-

teen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended in part by the act approved the twenty-sixth day of June one thousand nine hundred forty-one (P. L. 212) is hereby further amended to read as follows

Section 913 Place and Time of Filing Nomination Petitions Filing Fees

* * *

(b) Each person filing any nomination petition shall pay for each petition at the time of said filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order only Said certified checks or money orders shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars ($50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars ($35.00)

3 If for the offices of senator or representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector the sum of twenty-five dollars ($25.00) if for the office of jury commissioner or associate judge the sum of ten dollars ($10.00) if for the office of prison inspector the sum of two dollars ($2.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

4 If for any borough town township school district or poor district office not otherwise provided for the sum of two dollars ($2.00)

Provided however that no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law

[5 If for judge or inspector of election or for any other public office not included hereinabove the sum of fifty cents (.50)]

6. If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars ($10.00)

[7 If for any other party office the sum of fifty cents (.50)]

8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)

(c) The filing fees herein provided for shall not be refunded in the event of the withdrawal of any candidate named in any petition or for any other cause whatsoever

(d) All nomination petitions shall be filed at least fifty (50) days prior to the primary

Petitions to be filed in the office of the Secretary of the Commonwealth shall be received in said office not later than 5 o'clock P. M. on the last day for filing same and all petitions to be filed with any county board of elections shall be received in said office not later than the ordinary closing hour of said office on the last day for filing same

Section 2 Section nine hundred seventy-eight point one of said act as amended by the act approved the fifth day of May one thousand nine hundred forty-four (Act No. 3) is hereby further amended to read as follows

Section 978.1 Vacancy in Party Nomination by Failure to Pay Filing Fee Every person nominated at any primary election as a candidate of any political party for any office other than a borough town township school district or poor district office or the office of alderman justice of the peace or constable who has not paid the filing fee required by section nine hundred thirteen of this act as amended for the filing of a nomination petition for such office shall pay the amount of such fee to the State Treasurer or to the county treasurer as the case may be at least one hundred five days previous to the day of the general election or at least twenty-five days previous to the day of the municipal election at which such candidate's name would appear on the ballot Failure to pay such fee within the time herein prescribed shall result in a vacancy in such party nomination Such vacancy shall be filled in the manner hereinafter provided for the filling of such vacancies happening by reason of the death or withdrawal of any candidate

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,

Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 642, as follows:

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh and providing for the same as a post-war project

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars ($75,000) or as much thereof as is necessary is hereby appropriated to the Pennsylvania Post-War Planning Commission for the purpose of making a complete survey of the development needs of the Port of Pittsburgh and to incorporate the development and improvement of the Port of Pittsburgh in the post-war plan of the commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 57, as follows:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Register Act"

Section 2 The following words and terms shall have the following meanings unless the context clearly indicates otherwise

(a) "Agency" means any department departmental administrative board or commission independent administrative board or commission officer or other agency of this Commonwealth now in existence or hereafter created having State-wide jurisdiction but shall not include the legislative or judicial branches of the Commonwealth

(b) "Director" means the director of the Legislative Reference Bureau

(c) "Document" means any order regulation rule notice proclamation or similar instrument

(d) "Regulation" means any rule regulation or order generally applicable to the public promulgated by an agency authorized by statute so to do

Section 3 The Legislative Reference Bureau shall have the power and its duty shall be to have the custody of and cause to be printed and distributed documents of agencies publication of which is required or authorized by law or by regulations prescribed under this act

Section 4 All agency documents required by law to be published shall and other documents may be printed in a serial publication designated as the Pennsylvania Register It shall be the duty of the Legislative Reference Bureau acting through the director to arrange through the Department of Property and Supplies for the publication and distribution of the Pennsylvania Reg-

ister in the manner and at the times required in accordance with the provisions of this act and the regulations prescribed hereunder The first issue shall be published within one hundred fifty days after the effective date of this act and shall contain all documents filed within one hundred days after its effective date Subsequent issues shall be published at least once each month and shall contain all previously unpublished documents duly filed up until three days prior to the date of publication The Pennsylvania Register Board established by section eight of this act may provide by regulation for the more frequent publication of subsequent issues Once each year a cumulative index shall be published bringing all agency regulations which remain in effect down to date All issues of the Pennsylvania Register shall contain a table of contents and the first issue and the annual issues shall contain an index There shall be printed with each document a notation of the date of filing thereof Publication of documents in the Pennsylvania Register shall not be construed to dispense with any publication required by any other law of the Commonwealth

Section 5 All regulations of any agency which are in effect on the effective date of this act or which shall be promulgated within ninety days thereafter shall expire one hundred days after the effective date of this act unless codified indexed and filed with the director within said period of one hundred days for publication in the Pennsylvania Register Regulations promulgated after ninety days and within one hundred fifty days after the effective date of this act shall expire one hundred sixty days after the effective date of this act unless filed with the director within said period of one hundred sixty days for publication in the Pennsylvania Register

Section 6 No regulation or revision amendment or repeal of an existing regulation promulgated after one hundred fifty days following the effective date of this act shall be valid unless published in the Pennsylvania Register within forty-five days after its adoption This section shall not apply where the Department of Justice shall certify that because of an emergency or other compelling extraordinary circumstances the public interest requires that a regulation become effective without prior publication but such regulation together with a copy of the certification of the Department of Justice shall be published in the earliest available issue of the Pennsylvania Register

Section 7 The original and two duplicate originals or certified copies of any documents to be published in the Pennsylvania Register shall be filed with the director who shall cause to be noted thereon the filing date thereof Upon such filing at least one copy shall be available immediately for public inspection at the office of the director The original shall be retained in the files of the Legislative Reference Bureau

Section 8 There is hereby created a board to be known as the Pennsylvania Register Board consisting of the Secretary of Property and Supplies or his representative the Secretary of the Commonwealth or his representative the Attorney General or his representative and the Director of the Legislative Reference Bureau who shall be chairman The board shall prescribe regulations for carrying out the provisions of this act Such regulations shall provide inter alia (a) the manner of certification of copies required to be certified under this act (b) the documents or classes of documents which may be published in the Pennsylvania Register in addition to the documents required to be published therein but never to include comments or news items of any character (c) the manner and form in which the Pennsylvania Register shall be printed reprinted compiled indexed bound and distributed (d) the prices to be charged for individual copies of and subscriptions to the Pennsylvania Register and for reprints and bound volumes thereof which prices may be fixed without reference to the restrictions placed upon and fixed for the sale of other publications of the Commonwealth and (e) the number of copies which shall be distributed free for official use

Section 9 Subject to the provisions of sections seven and eight of this act any agency may file any document other than a regulation for publication in the Pennsylvania Register the expense of such publication to be paid by the agency filing such document

Section 10 The publication in the Pennsylvania Register of any document shall create a presumption (a) that it was duly issued prescribed or promulgated (d) that it was duly filed with the director and made available for public inspection on the date stated on the printed notation (c) that the copy published in the Pennsylvania Register is a true copy of the original and (d) that all requirements of law applicable to such document have been complied with The contents of the Pennsylvania Register shall be judicially noticed

Section 11 Payments for the Pennsylvania Register shall be made to the Department of Property and Supplies which shall pay the same into the State Treasury through the Department of Revenue to the credit of the General Fund

Section 12 The sum of fifty thousand dollars ($50,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Legislative Reference Bureau for advertising for bids payment of the costs and expenses incurred by the Department of Property and Supplies in printing wrapping binding and distributing the Pennsylvania Register for expenses of the director and compensation and expenses of extra employes of the Legislative Reference Bureau engaged in duties under this act for postage supplies and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of this act

Section 13 All acts or parts thereof inconsistent herewith are hereby repealed

Section 14 Effective date This act shall take effect on the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker.	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley.
Barton,	Gardner.	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel.	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory.	Green,	McKinney,	Scanlon,
Bower.	Greenwood,	McLanahan,	Schuster.
Brancato,	Greer,	McMillen,	Serna.
Breisch,	Guthrie,	McNair,	Shaffer,
Brice.	Gyger.	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown.	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton.	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm.	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook.	Hersch,	Moser,	Swope,
Cooper,	Hewitt.	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate.
Costa,	Hoopes.	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent.
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy.	Kirley.	O'Donnell,	Verona.
Dillon.	Kline.	O'Neill,	Wachhaus,
Dix.	Kolankiewicz,	Owens,	Wagner,
Dougherty.	Komorofski,	Pentrack,	Waterhouse,
Duffy,			

Dye,	Krise,	Petrosky,	Watkins,
Elder,	Kurtz,	Pettigrew,	Weiss,
Elish,	Lane,	Pickens,	Welsh,
Erb,	Laughner,	Polaski,	Wescott,
Ewing,	Lee,	Polen,	White,
Finnerty,	Leisey,	Powers,	Wood, L. H.,
Flack,	Leonard,	Propert,	Wood, N.,
Fleming,	Levy,	Readinger,	Worley,
Foor,	Lichtenwalter,	Reagan,	Wright,
Fox,	Loftus,	Reese, D. P.,	Yeakel,
Freed	Longo,	Reese, R. E.,	Yester,
Frost,	Lopez,	Reidenbach,	Fiss,
	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 687, as follows:

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven hundred and five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1105 Every road not of record which has been used for public travel and maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years and upwards shall be deemed to be a public road of the width of at least thirty-three feet notwithstanding the fact that there is no public record of the laying out of such road or a dedication thereof for public use In all such cases the lawful laying out and opening or dedication of such roads of the width hereinbefore specified shall be conclusively presumed Every road whether of record or not which has not been used for public travel or has not been maintained or kept in repair by the expenditure of township funds for a period of at least twenty-one years and upwards shall be deemed not to be a public road and in all such cases the lawful vacation of such roads shall be conclusively presumed and in all such cases the board of supervisors may formally by resolution declare such road to be vacated and a copy of such resolution shall be filed with the clerk of the court of quarter sessions of the county and a copy thereof with the Department of Highways of the Commonwealth

Section 2 Section eleven hundred and fifteen of said act is hereby amended to read as follows

Section 1115 Whenever the supervisors of any township deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth or to vacate any abandoned portion of a State highway not vacated by the Department of Highways and can agree with the property owners affected by such change alteration or vacation they may change alter or vacate such part of such public road as contemplated in such agreement without the formality of a view

No such change or alteration of any part of any public road shall be made the costs and expenses of which including damages to such township shall exceed five hundred dollars A petition setting forth the facts regarding such change alteration or vacation accompanied by a map or draft of the same shall be presented to the court of quarter sessions for approval before such actual change alteration or vacation is made whereupon the new location approved by the court shall be taken to be the public road and the old location shall be vacated or the abandoned State highway shall be vacated as the case may be

Whenever the supervisors of any township determine by resolution duly adopted at a regular meeting that any public road or portion thereof has not been used for public travel and has not been maintained or kept in repair by the expenditure of township funds for a period of at laest ten years they may present their petition to the court of quarter sessions praying for a decree declaring such road or portion thereof to be vacated The petition shall set forth the fact of adoption and the text of such resolution and shall fully describe the location of the road or portion thereof in question and if no answer is filed within sixty days after the petition is filed the court shall upon proof of publication as hereinafter provided enter a decree as prayed If an answer is filed within such time the court shall hear evidence upon the single issue of whether or not the road or portion thereof in question has been used for public travel or maintained and kept in repair by the expenditure of township funds during the period of ten years last past and upon this issue the respondent shall have the burden of proof If the court determines the issue in favor of the petitioners it shall enter a decree as prayed Notice of filing such petition shall be given by publishing once a week for four successive weeks in a newspaper of general circulation in the township where the road or portion thereof in question is located or by posting at each end of such road or portion thereof a statement setting forth the date of filing the petition a summary of its contents and the final date for filing an answer thereto written notice served personally or by registered mail shall be given to the owner or owners of a residence abutting the road

Section 3 This act shall be effective immediately upon its enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Boies,	Getchey,	Matthews,	Rose,
Bonawitz,	Gibson,	McAtee,	Royer,
Boney,	Goodling,	McClester	Rudisill,
Boorse,	Gore,	McCormack,	Salus,
Boory,	Grant,	McDowell,	Scanlon,
Bower,	Green,	McKinney,	Schuster,
Brancato,	Greenwood,	McLanahan,	Serrill,
	Greer,	McMillen,	Shaffer,

Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Bentzel,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 106, as follows:

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of the money derived from such increase

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 488) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 314) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purpose of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letter lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of [one dollar and fifty cents ($1.50)] two dollars ($2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10¢) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in adition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50¢)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1.00 for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

Section 2 Section two hundred eighty-five of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-seven (P. L. 494) and as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 285 Fish License Fund Established All fees fines penalties and other moneys paid received recovered and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart from the various purposes designated by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue is procuring issuing or supervising the issuance of resident and non-resident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen account-

ants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and such special deputy attorneys general assistant deputy attorneys general as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the Board of Fish Commissioners

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the Capitol Buildings or any other grounds buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the cruiser "Anna" at Torresdale on the Delaware River [and]

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board [and]

(l) The purchase and acquisition of additional land and water for State fish hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth

(m) For the refund to county treasurers of fishing license fees heretofore or hereafter erroneously paid into the Fish Fund and

(n) The sum of fifty cents (50¢) from each resident fishing license fee being the increase in fees provided by this amendment shall be used exclusively for the further propagation and distribution of fish

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purposes hereinbefore enumerated All printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes for which such requisition was made at the time of making such requisition

Section 3 This act shall become effective on the first day of January one thousand nine hundred forty-six

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—132

Andrews,	Frost,	Loftus,	Reese, R. E.,
Baker,	Gaffney,	Longo,	Reidenbach,
Bentzel,	Gallagher,	Lopez,	Riley,
Bonawitz,	Gardner,	Lyons,	Root,
Boney,	Getchey,	Madigan,	Rudisill,
Boorse,	Gibson,	Mahany,	Salus,
Boory,	Goodling,	Matthews,	Scanlon,
Breisch,	Gore,	McAtee,	Serrill,
Brice,	Grant,	McClester,	Shoemaker,
Brunner, C. H.,	Greer,	McDowell,	Skale,
Brunner, P. A.,	Gyger,	McMillen,	Smith,
Cadwalader,	Hall,	McNair,	Snyder,
Chervenak,	Hare,	Mikula,	Sorg,
Chudoff,	Helm,	Miller,	Stank,
Cohen,	Hennihan,	Milliken,	Stockham,
Coleman,	Herman,	Mills,	Stonier,
Cook,	Hersch,	Mooney,	Swope,
Corrigan,	Hewitt,	Moore, C. E.,	Tahl,
Costa,	Hoffman,	Moore, W. J.,	Tate,
Coulson,	Hoopes,	Moser,	Tittle,
Coyle,	Huntley,	Murray, M. L.,	Trout,
Cullen,	James,	Murray, P. G.,	Turner,
Dague,	Jones,	O'Brien,	Wachhaus,
Dennison,	Kirley,	O'Connor,	Wagner,
Dillon,	Kline,	O'Dare,	Waterhouse,
Dix,	Kolankiewicz,	O'Donnell,	Watkins,
Dye,	Komorofski,	Pentrack,	Welsh,
Elder,	Kurtz,	Polaski,	Wescott,
Elish,	Lee,	Polen,	White,
Finnerty,	Leisey,	Powers,	Wood, L. H.,
Foor,	Leonard,	Propert,	Wright,
Fox,	Levy,	Readinger,	Yeakel,
Freed,	Lichtenwalter,	Reese, D. P.,	Fiss, Speaker.

NAYS—66

Barrett,	Green,	McNally,	Royer,
Barton,	Greenwood,	Mihm,	Schuster,
Baumunk,	Haberlen,	Modell,	Shaffer,
Bower,	Hamilton,	Moran,	Sloan,
Brancato,	Haudenshield,	Munley,	Snider,
Brothers,	Heatherington,	Myhan,	Sollenberger,
Burns,	Hering,	Nagel,	Stuart,
Cooper,	Howells,	Nelson,	Trachtman,
Dalrymple,	Hunter,	O'Neill,	Trent,
Depuy,	Kennedy,	Owens,	Turbett,
Dougherty,	Krise,	Petrosky,	Varallo,
Duffy,	Lane,	Reagan,	Verona,
Erb,	Laughner,	Reilly,	Weiss,
Ewing,	Lovett,	Reynolds,	Wood, N.,
Flack,	McCormack,	Robertson,	Worley,
Fleming,	McKinney,	Rose,	Yester,
Fullerton,	McLanahan,		

NOT VOTING—9

Bentley,	Guthrie,	Madden,	Pickens,
Boles,	Hoggard,	Pettigrew,	Regan,
Brown,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 675, as follows:

An Act to repeal The General State Authority Act of one thousand nine hundred thirty-five and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Upon the payment and cancellation of all the bonds and other obligations heretofore issued or assumed by The General State Authority and still outstanding and the transfer and conveyance of all its properties to the Commonwealth as provided by law the Governor shall issue a proclamation declaring The General State Authority to be abolished and The General State Authority shall thereupon cease to exist

Section 2 No new or additional project shall be undertaken or commenced by The General State Authority pending the payment of its bonds and obligations

Section 3 The act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" and all of its amendments and laws supplementary thereto are hereby repealed

Section 4 The provisions of this act with the exception of Section 3 shall become effective immediately upon final enactment and Section 3 hereof shall become effective on the first day of January one thousand nine hundred and forty-six

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LICHTENWALTER. Mr. Speaker, I would like to make the request that we debate Senate Bill No. 675 and Senate Bill 197, on page ten at the same time, that is, cover both these bills at the same time.

The SPEAKER. Is there objection to debating both these bills at the same time?

Mr. COHEN. No, Mr. Speaker.

The SPEAKER. There being no objection Senate Bill 197 and Senate Bill 675 will be debated at the same time as they are companion bills.

Mr. COHEN. I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman tell me how much money the Commonwealth appropriates to the General State Authority each biennium?

Mr. LICHTENWALTER. In the neighborhood, I believe, of a little more than eight million dollars per biennium, Mr. Speaker.

Mr. COHEN. Will the gentleman tell me whether any of that eight million dollars is used for the payment of interest on outstanding bonds?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. COHEN. Will the gentleman tell me how much of that money is used for the payment of interest on bonds?

Mr. LICHTENWALTER. About three and three-quarter million dollars, Mr. Speaker.

Mr. COHEN. That three and three-quarter million, I believe, includes interest and sinking fund requirements, is that correct?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. COHEN. It would leave then approximately five million dollars for other expenses of the Authority?

Mr. LICHTENWALTER. No, Mr. Speaker, there is a payment of principal of four million two hundred fifty thousand dollars.

Mr. COHEN. Then can the gentleman tell me just what the General Authority expenses are for each biennium?

Mr. LICHTENWALTER. The administrative expenses?

Mr. COHEN. That is right, office help and so forth.

Mr. LICHTENWALTER. Mr. Speaker, I do not have the figure available at the moment, but I know it is not a great deal, because there were only ten salaried employes during the past biennium in the General State Authority.

Mr. COHEN. The buildings for which the Commonwealth pays the General Authority rentals, are any of the people in those buildings on the General State Authority payroll, or are they government employes?

Mr. LICHTENWALTER. They are State government employes, not Authority employes.

Mr. COHEN. And if the State government took over the buildings or the payroll for the maintenance of the buildings, would that be taken over by the State at the same cost; there would be no additional cost?

Mr. LICHTENWALTER. There would be no additional expense, that is right.

Mr. COHEN. So we could safely say that the entire approximately eight million dollars for each biennium is money which is spent for interest on bonds, sinking fund requirements and principal payments on outstanding bonds?

Mr. LICHTENWALTER. That is correct.

Mr. COHEN. And at the rate we are going does the gentleman know how many years it will be before these bonds are completely paid off?

Mr. LICHTENWALTER. Mr. Speaker, I believe it will be a matter of twelve or fifteen years.

Mr. COHEN. I wish to thank the gentleman.

Mr. Speaker, the general State Authority which was organized and given its life back in 1935 or 1937 was created for the express purpose of avoiding, I should say, the Constitutional limitation on the State's borrowing power. It, however, helped the Commonwealth to get

great benefit in permitting the buildings to be used by various Commonwealth departments. A great number of bonds were issued, with interest, I believe, at the rate of approximately four per cent.

May I point out, Mr. Speaker, that these bonds are held to the extent of about forty million dollars by the State Employes Retirement Fund and about eight million dollars, or the balance of the issue, by the School Employes' Retirement Fund. The Commonwealth would not lose any money, nor would it save any money if its bonds were paid off today, and the reasoning of course is very simple. All the money which the Commonwealth provides within fifty thousand dollars per annum goes for the expenses and the interest, the sinking fund and the payment of principal on these bonds. What these bills propose to do is to pay the thing in one lump sum so it will be wiped out.

Well, that would be all right if we could not get more for our money elsewhere, because the State cannot go into the lending business, and this way we may save some interest, but may I suggest, Mr. Speaker, that we are going to waste about one million dollars per biennium by this procedure, and this is why; if the two funds referred to were to receive payment in full for the bonds which they hold they would be required to reinvest that money in other good sound securities. As a matter of fact the actuary of one of these funds said that their only hope for return on reinvestment would be about one and one-half per cent, and of course since the Commonwealth guarantees that these funds shall receive four per cent, if we were only to get one and a half per cent in new investments such as government bonds, the obligation of the State government would be to replace that two and a half per cent shortage out of current revenues, or roughly one million dollars. So if we pay off the bonds, be ready to appropriate an additional one million dollars per biennium in order to make up to these funds the amount of return guaranteed. Now, if we are going into high finance, let us do it the right way; let us not penalize the employes' funds of Pennsylvania, but do as Philadelphia did recently. It had a lot of four and a half and five per cent bonds, the same as our highway bonds in Pennsylvania—and incidentally the highway bonds of Pennsylvania have almost the same amount of outstanding bonds as the General State Authority, those bonds pay anywhere from four and a half to five percent, and perhaps the banks holding those bonds would refuse to reconvert. We had the same problem in Philadelphia but Philadelphia was able to refinance itself on a lower basis and save itself quite a considerable amount of money.

Why not pay off the road bonds. Since we are so wealthy, and can so easily afford the money, we could perhaps save a lot more money by not paying off the State Authority bonds, and penalize the two state agencies to which we guarantee a certain return, and save a million dollars.

There is one other aspect of it, whether the gentlemen on the other side like it or not; may I refer to it again, the Post-War Planning Commission. We found it on the calendar today, as I pointed out a little earlier. The little book on the third page makes reference to the Post-War Planning Commission—and I hear it is going to have a meeting on May 23rd in Harrisburg, so perhaps there is a Post-War Planning Commission after all. There is a bill that says "Post-War Planning Commission" in the title, appropriating many millions of dollars, and we did pass a bill giving seventy-five thousand dollars to the Post-War Planning Commission to make an economic survey of the port of Pittsburgh. This mythical Post-War Planning Commission is getting more money than the Legislature is getting to spend on its functions and its duties, and they get a lot more than the school teachers in proportion.

I will refer again to the message to the General Assembly by Major General Edward Martin dated January 2, 1945. Turn to page ten where the Governor outlines post-war planning projects, and we have given millions of dollars away as recommended by the Governor. As a matter of fact, we are giving more than you think we are because the Senate has sent over some additional bills calling for more money, so I think perhaps the Post-War Planning Commission is not a mythical thing, it is not a ghost, it is a real thing, and the Governor says "Post-war projects, one hundred sixty-five million dollars" and then in the very same line he says "Estimate General State Authority Fund on May 31, 1945 with accrued interest at forty-eight million eight hundred seventy thousand dollars." That is the Governor's post-war program. If it is not the Post-War Planning Commission's program, more credit to them, then it must be the Governor's program. Then I should like to know if we read the act creating the Post-War Planning Commission, where in the Post-War Planning Commission's authority or where in the Governor's mind has he come to the point where we are to set up projects over a short or long period to insure post-war employment in Pennsylvania? Do we get wages and salaries out of forty-eight million eight hundred seventy thousand dollars which is going to be used to pay off some bonds with a penalty of one million dollars to the two funds? To me a post-war project is putting money aside for the purpose of building needed things, county hospitals and things of that nature. We are perfectly willing to spend on decent projects but we are not willing to spend forty-eight million dollars, not for post-war work but for merely for the payment of bonds because somebody away back did not like the General State Authority, felt that it ought to be wiped off the books just as soon as it could be, thereby taking away the use of forty-eight million dollars for post-war projects within ten years from now.

Do not forget that your Post-War Planning Commission has told us, or at least told me, as far as the money is concerned that is the business of the Legislature. Now, the Post-War Planning Commission was also supposed to make a study of taxes in Pennsylvania. We have not heard a thing about it yet. I know they tried to scare a lot of people by saying they would recommend a wage tax and sales tax, but they have not had the nerve to do so. They have not even given us a schedule over the years, but we will have to come back here two or four years from now when our tidy kitty in the bank runs out, and then perhaps start looking for money to finish the projects which have been started but cannot be finished because we in the Legislature may not have nerve enough to tax the people. You know politicians do not like to impose taxes, it is unpopular back home. Four to six years from now we will have to impose taxes for projects which cannot

be finished. Post-war planning is putting money aside to pay wages for those who must have employment after this war is over, and to spend forty-eight million dollars for something which does not translate itself into wages but which gives us one million dollars additional expense to me is foolish, foolhardy and bad financing.

Do not tell me it is good business to pay off your debt. It is bad business to pay off your debts if you cannot pay off your obligations in the future, which you are committed to do and which you dare not take away. You dare not go to your State Employment Retirement Fund and your School Fund and say "We will take away your four percent guarantee." You dare not do that, because you faithfully promised that you would guarantee that four percent return to their funds, and you will have to look for an investment to pay that. It is not good business to pay off a debt if you run into another debt, and ignore by digging your head into the sand and just hope that something might not happen in the future that would make it necessary. If we do not need the project after the war—and our economic setup might be such that we do not, then we can go into a small tax reducation program, we can give the money to school teachers that they deserve and not hide the money away where no one can view it. The reason they want to do away with the Authority is that the Governor said he did not want to saddle any future administration with the expense. If we put aside this money and give to the school teachers what we promised in House Bill 568, we will not have to saddle the administration with this increase. Why don't you dot it the smart way and keep what you have got? Instead of spending this money to retire the State Authority Bonds, why not hold it in case you have to have your money for honest-to-God post-war employment?

Mr. LICHTENWALTER. Mr. Speaker, I will try to confine my remarks to the provisions for disposing of the General State Authority.

The General State Authority was created during the Earle administration, and in line with other states, was created to promote a huge building program. The first program called for expenditures of sixteen million dollars. The second program was inaugurated involving a little more than twelve million dollars, used mainly for equipment and supplies. It is nothing more than a holding company, and I will agree with the gentleman from Philadelphia that the bonds of the General State Authority have been held by the School and Employees Retirement Funds. Under the present law in Pennsylvania we are required to see that those investments yield four percent, and if not, by proper appropriation meet any difference. Now, I believe that is the plan for the abolishment of the General State Authority—and if this is poor business I would like to know it—if the Authority is liquidated and the retirement funds would not receive the four percent interest as required by law in the 1945 and 1947 biennium amounting to three million seven hundred thousand dollars, then, of course, we would have to make up the difference. Might I say that at this time we are in the Seventh War Loan Drive, and might I point out to the gentleman from Philadelphia, that I believe the Federal Government is most anxious that all of us make our due contribution to this war loan. Certainly bonds could be purchased, I believe, which would yield two and a half per cent to the School Retirement Fund and would earn for that fund three million three hundred ninety-five dollars leaving a difference for the State to make up in interest shortage to the Retirement Fund of one million three hundred twelve thousand one hundred sixty dollars. In other words the State by the abolishment of the General State Authority and the payment of these bonds will gain during the present biennium a difference between these two figures of two million, six hundred two thousand two hundred eighty-eight dollars. This is at a rate of 2.72 per cent per annum on the forty-seven million nine hundred twelve thousand dollars of bonds, and is a greater return than if the State were to invest in seven-eights of one per cent or one and a quarter per cent short term Federal obligations for the two and a half per cent long term bonds. By retiring the General State Authority bonds, although the deficiency to the Retirement System would have to be made up under present laws, the State is investing its money at 2.72 per cent. I say that this is the best deal that the State could possibly make at this time, and instead of paying out a rental of eight million dollars a year, we would be obligated only to the amount of two million six hundred two thousand dollars during the present biennium or a saving of a little better than five million dollars to the Commonwealth. I think that is sound and good business, and there is no reason why we should not pay off these bonds at this time.

I disagree with the gentleman from Philadelphia, if you have a surplus in your business and if you have outstanding debts and you have made money, it is always good practice to take at least a certain per centage of that profit, and pay off your debts? I therefore feel that the abolishment of the General State Authority, because of the vast appropriations we have made for post-war activity because of the soundness of the program and because of the saving to the people of Pennsylvania by relieving them of at least five million dollars that we are now paying in rentals to the General State Authority, and the difference to be made up to meet the requirements of the present law, is sound, and we should vote for these measures.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	McNair,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Propert,	Watkins,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,

Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Yester,
Freed,	Lichtenwalter,	Royer,	Fiss,
Frost,	Loftus,		Speaker.

NAYS—90

Andrews,	Gaffney,	Matthews,	Powers,
Baker,	Gallagher,	McLanahan,	Readinger,
Barrett,	Gore,	McNally,	Reese, R. E.,
Bentzel,	Grant,	Mihm,	Reidenbach,
Boney,	Green,	Mills,	Reynolds,
Boory,	Haberlen,	Modell,	Rose,
Brancato,	Hamilton,	Mooney,	Rudisill,
Brothers,	Heatherington,	Moore, W. J.,	Scanlon,
Brown,	Hennihan,	Moran,	Schuster,
Brunner, P. A.,	Hering,	Munley,	Shaffer,
Burns,	Herman,	Murray, M. L.,	Snider,
Chervenak,	Hersch,	Myhan,	Stank,
Chudoff,	Hunter,	O'Brien,	Swope,
Cohen,	Jones,	O'Connor,	Tate,
Coleman,	Kirley,	O'Donnell,	Trachtman,
Corrigan,	Kolankiewicz,	O'Neill,	Trent,
Coyle,	Komorofski,	Owens,	Varallo,
Cullen,	Lane,	Pentrack,	Verona,
Dillon,	Leonard,	Petrosky,	Weiss,
Dougherty,	Levy,	Pettigrew,	Welsh,
Duffy,	Longo,	Polaski,	White,
Elish,	Lopez,	Polen,	Wright,
Finnerty,	Lovett,		

NOT VOTING—7

Bentley,	Hoggard,	Nagel,	Skale,
Boles,	Mikula,	Regan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 197, as follows:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations authorizing and directing said Authority to cancel its bonds discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania authorizing and directing the Department of Property and Supplies to transfer to any land grant college or the State Farm Products Show Commission any properties acquired by it from The General State Authority which are being used by such land grant college or such commission and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas The General State Authority created pursuant to the provisions of the General State Authority Act of one thousand nine hundred and thirty-five the Act of June twenty-eighth one thousand nine hundred and thirty-five (P. L. 452) as amended has outstanding millions of dollars of bonds and the Commonwealth of Pennsylvania pays annually to said Authority millions of dollars in rentals for properties constructed by the Authority and leased to the Commonwealth which rentals are used to pay the principal and interest on said bonds and expenses of the Authority and

Whereas said bonds are wholly owned by the several retirement systems of the Commonwealth and the Commonwealth now has sufficient surplus funds over and above its ordinary expenses to pay off said bonds with interest thereon and such payment would result in vesting title to properties owned by the Authority in the Commonwealth and the saving of the moneys now paid as rentals by the Commonwealth to the Authority and of the expenses incurred by the Authority in connection with said bonds and properties and

Whereas it is in the public interest and to the benefit of the people of this Commonwealth to utilize as much of said surplus funds of the Commonwealth as are necessary to pay off said bonds and to acquire title to said properties

Section 1 The Department of Property and Supplies is hereby authorized and directed to acquire in the name of the Commonwealth of Pennsylvania all properties of The General State Authority

Section 2 To accomplish the purpose of this act the Department of Property and Supplies is hereby authorized and directed to purchase or otherwise to cause the retirement at face value with accrued interest of all outstanding bonds issued by the Authority under the provisions of the General State Authority Act of one thousand nine hundred and thirty-five the Act of June twenty-eighth one thousand nine hundred and thirty-five (P. L. 452) as amended

Section 3 Upon payment of its bonds The General State Authority is authorized and directed to cancel any outstanding leases discharge all its obligations and to transfer to the Department of Property and Supplies all property which it now owns

Section 4 When the Department of Property and Supplies shall obtain any property from The General State Authority as herein provided that is now being used by any land grant college or the State Farm Products Show Commission said department is authorized and directed to transfer all of said property to such land grant college or the State Farm Products Show Commission

Section 5 The sum of forty-eight million eight hundred seventy thousand two hundred forty dollars ($48,870,240.00) or so much thereof as is necessary is hereby appropriated to the Department of Property and Supplies to accomplish the purpose of this act

Section 6 Without limiting the powers and authority in this act conferred upon The General State Authority and the Department of Property and Supplies all further powers and authority necessary or incidental to those herein granted are hereby conferred and granted to The General State Authority and the Department of Property and Supplies in order fully to effectuate and consummate the purposes and intent of this act

Section 7 Nothing in this act shall be construed to impair or violate any pledge or agreement undertaken by the Commonwealth of Pennsylvania under the General State Authority Act of one thousand nine hundred and thirty-five (P. L. 452) as amended nor shall this act be construed to repeal said General State Authority Act of one thousand nine hundred and thirty-five or to terminate the existence of The General State Authority

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, on Senate Bill 197, since we debated both bills and since one bill is no good without the other, I request the same roll call to be taken on this bill as the other.

The SPEAKER. The Chair thanks the gentleman from Philadelphia.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	McNair,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Propert,	Watkins,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Fox,	Lee,	Robertson,	Yeakel,
Foor,	Leisey,	Root,	Yester,
Freed,	Lichtenwalter,	Royer,	Fiss,
Frost,	Loftus,		Speaker.

NAYS—90

Andrews,	Gaffney,	Matthews,	Powers,
Baker,	Gallagher,	McLanahan,	Readinger,
Barrett,	Gore,	McNally,	Reese, R. E.,
Bentzel,	Grant,	Mihm,	Reidenbach,
Boney,	Green,	Mills,	Reynolds,
Boory,	Haberlen,	Modell,	Rose,
Brancato,	Hamilton,	Mooney,	Rudisill,
Brothers,	Heatherington,	Moore, W. J.,	Scanlon,
Brown,	Hennihan,	Moran,	Schuster,
Brunner, P. A.,	Hering,	Munley,	Shaffer,
Burns,	Herman,	Murray, M. L.,	Snider,
Chervenak,	Hersch,	Myhan,	Stank,
Chudoff,	Hunter,	O'Brien,	Swope,
Cohen,	Jones,	O'Connor,	Tate,
Coleman,	Kirley,	O'Donnell,	Trachtman,
Corrigan,	Kolankiewicz,	O'Neill,	Trent,
Coyle,	Komorofski,	Owens,	Varallo,
Cullen,	Lane,	Pentrack,	Verona,
Dillon,	Leonard,	Petrosky,	Weiss,
Dougherty,	Levy,	Pettigrew,	Welsh,
Duffy,	Longo,	Polaski,	White,
Elish,	Lopez,	Polen,	Wright,
Finnerty,	Lovett,		

NOT VOTING—7

Bentley,	Hoggard,	Nagel,	Skale,
Boles,	Mikula,	Regan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

POINT OF ORDER

Mr. LEVY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. LEVY. Mr. Speaker, at four o'clock this afternoon, one hour ago I asked the Speaker to recognize me, and he had a bill on the table. It came from the Senate, and he asked me would I kindly yield for a moment. I yielded in all deference to the Speaker, and as yet I have not been called on to go ahead with my statement before the House.

The SPEAKER. For what purpose does the gentleman rise?

Mr. LEVY. Mr. Speaker, at four o'clock the Speaker announced "We will take up today's calendar."

The SPEAKER. We resumed today's calendar.

Mr. LEVY. That is right, Mr. Speaker, and I rose and addressed the Speaker, and he asked me to yield. It was my purpose to call up a bill on second reading.

The SPEAKER. The gentleman would have been out of order. We were then proceeding with bills on final passage and third reading, trying to clear the calendar as much as we possibly could. We are under that order of business now.

Mr. LEVY. Mr. Speaker, I am in accord with the Speaker. However, when the Speaker at four o'clock stated that the calendar would be taken up, it was not announced that bills would be taken up on final passage. The statement made by the Speaker was that the calendar would be taken up. I asked to be recognized and the Speaker requested me to yield. I yielded, supposedly for a moment, in accordance with the Speaker's request.

The SPEAKER. We continued with the order of business, which was bills on third reading, previous to the recess. If the gentleman wishes to interrupt that order of business it must be by unanimous consent. If the House gives its unanimous consent it may be done.

Mr. LEVY. It is not my intention to turn the very harmonious closing few hours of the session into wrangling hours of debate, but I merely ask in all sense of decency, and I know the Speaker has always been of that mind, because of the serious nature of the bill on second reading I was hoping that it might be taken up before the evening hour draws near when many of the members will leave the Hall to go to dinner or some other form of recreation. So, Mr. Speaker, in all deference to my request I ask that I be permitted to call up a bill on second reading on the first page of the calendar.

The SPEAKER. Will the House give its unanimous consent to calling up a bill on the second reading calendar? Is there objection?

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, was it not by unanimous consent that we passed over and did not act upon bills on second reading? Could the bills have been passed over and not called in their order, had it not been that at that time it was with unanimous consent?

The SPEAKER. The Chair, as the gentleman will recall, when we started on the calendar this morning, we took up second reading bills by unanimous consent, and the second bill on the calendar was read.

Mr. ANDREWS. Mr. Speaker, was there special order of the day that fixed the order of business as third reading bills to the exclusion of second reading bills?

The SPEAKER. We were proceeding under Rule 14,

and were on third reading bills. Second reading bills were the order of business this morning.

Mr. ANDREWS. And we passed second reading bills by unanimous consent and did not call them up.

The SPEAKER. That is correct. That is the Chair's understanding.

Mr. ANDREWS. Would that not imply, Mr. Speaker, since second reading bills were passed by unanimous consent, the power of the House to return to that order of business without a suspension of the rule or special order of the day?

The SPEAKER. That order of business can be reinstated by unanimous consent. The Chair will place the request for unanimous consent before the House if the gentleman desires.

MOTION TO MAKE SPECIAL ORDER

Mr. ANDREWS. Mr. Speaker, I move that Senate Bill 716, Printer's No. 478 be made a special order of business at 5:15 p. m. Saturday, May 5, 1945.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TURNER. The Chair having said that we are on the third reading calendar, as I understand it, you are now accepting a motion to take up a bill on the second reading calendar and to make it a special order of business. I think the motion is out of order.

The SPEAKER. The Chair rules that the point of order is not well taken. The Chair would inform the gentleman from Delaware that the House has the power to make a special order of business at any time it desires.

On the question,

Will the House agree to the motion?

Mr. LICHTENWALTER. Mr. Speaker, I ask that the motion be voted down.

The yeas and nays were required by Mr. Andrews and Mr. Levy and were as follows:

YEAS—77

Andrews,	Gore,	McNair,	Polaski,
Baker,	Grant,	McNally,	Polen,
Barrett,	Haberlen,	Mihm,	Powers,
Bentzel,	Hamilton,	Milliken,	Readinger,
Boney,	Heatherington,	Mills,	Reese, R. E.,
Brancato,	Herman,	Modell,	Reidenbach,
Brothers,	Hersch,	Mooney,	Reynolds,
Brown,	Hunter,	Moore, W. J.,	Schuster,
Brunner, P. A.,	Jones,	Moran,	Shaffer,
Burns,	Kirley,	Murray, M. L.,	Snider,
Chervenak,	Kolankiewicz,	Myhan,	Stank,
Cohen,	Komorofski,	Nagel,	Swope,
Coyle,	Lane,	O'Brien,	Trachtman,
Cullen,	Leonard,	O'Connor,	Trent,
Dillon,	Levy,	O'Donnell,	Varallo,
Dougherty,	Longo,	Owens,	Verona,
Duffy,	Lopez,	Pentrack,	Weiss,
Elish,	Lovett,	Petrosky,	White,
Gaffney,	McLanahan,	Pettigrew,	Wright,
Gallagher,			

NAYS—102

Barton,	Gardner,	Lyons,	Sloan,
Baumunk,	Getchey,	Madden,	Smith,
Bonawitz,	Gibson,	Mahany,	Snyder,
Boorse,	Goodling,	McAtee,	Sollenberger,
Bower,	Greenwood,	McClester,	Sorg,
Breisch,	Greer,	McCormack,	Stockham,
Brice,	Guthrie,	McDowell,	Stonier,
Brunner, C. H.,	Gyger,	McKinney,	Stuart,
Cadwalader,	Hall,	McMillen,	Tahl,
Cooper,	Hare,	Mikula,	Tittle,
Costa,	Haudenshield,	Miller,	Trout,
Coulson,	Helm,	Moore, C. E.,	Turbett,
Dague,	Hewitt,	Moser,	Turner,
Dalrymple,	Hoffman,	Murray, P. G.,	Wachhaus,
Dennison,	Hoopes,	Nelson,	Wagner,
Depuy,	Howells,	O'Dare,	Waterhouse,
Dix,	Huntley,	Pickens,	Watkins,
Dye,	James,	Propert,	Wescott,
Erb,	Kline,	Reagan,	Wood, L. H.,
Ewing,	Krise,	Reese, D. P.,	Wood, N.,
Fleming,	Kurtz,	Reilly,	Worley,
Foor,	Laughner,	Riley,	Yeakel,
Fox,	Lee,	Robertson,	Yester,
Freed,	Leisey,	Root,	Fiss,
Frost,	Lichtenwalter,	Salus,	Speaker.
Fullerton,	Loftus,	Shoemaker,	

NOT VOTING—28

Bentley,	Elder,	Kennedy,	Royer,
Boies,	Finnerty,	Madigan,	Rudisill,
Boory,	Flack	Matthews,	Scanlon,
Chudoff,	Green,	Munley,	Serrill,
Coleman,	Hennihan,	O'Neill,	Skale,
Cook	Hering,	Regan,	Tate,
Corrigan,	Hoggard,	Rose,	Welsh.

So the question was determined in the negative and the motion was not agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 183, as follows:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be deemed to be an exercise of the police powers of the Commonwealth for the general welfare of the people of the Commonwealth by providing for the conservation and improvement of areas of land affected in the mining of bituminous coal by the open pit or stripping method to aid thereby in the protection of birds and wild life to enhance the value of such land for taxation to decrease soil erosion to aid in the prevention of the pollution of rivers and streams to prevent combustion of unmined coal and generally to improve the use and enjoyment of said lands

Section 2 Short Title This act shall be known and may be cited as the "Bituminous Coal Open Pit Mining Conservation Act"

Section 3 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Open pit mining" shall mean the mining or recovery of bituminous coal by removing the strata or material which overlies or is above the coal deposit or seam in its natural condition

"Pit" shall mean the place where bituminous coal is being mined by the open pit mining method

"Operation" shall mean the pit or pits located upon a single tract of land or a continuous pit embracing or extending upon two or more contiguous tracts of land

"Land" shall mean the surface of the land upon which open pit mining is conducted

"Tract" shall mean a single parcel of land or two or more contiguous parcels of land with common ownership

"Operator" shall mean a person firm corporation or partnership engaged in open pit mining as a principal as distinguished from an agent or independent contractor

and who is or becomes the owner of such coal as a result of such mining

"Land-owner" shall mean the person firm corporatoin or partnership or the persons firms corporations or partnerships in whom the legal title to the land is vested

"Overburden" shall mean the strata or material overlying a bituminous coal deposit in its natural state and shall mean such material before or after its removal by open pit mining

"Spoil pile" shall mean the overburden and reject coal as it is piled or deposited in open pit mining

"Area of land affected" shall mean the area of land from which the overburden is removed

Section 4 Before any operator shall hereafter engage in open pit mining of bituminous coal within the Commonwealth he shall register with the Department of Mines of this Commonwealth by filing a certificate on a form to be provided by the Department and giving information sufficient to identify the operator and an estimate of the number of acres of land that the operator will affect by open pit mining during one year immediately following the date of filing Contemporaneously with and as a part of said registration the operator shall file with the Department of Mines a bond on a form to be prescribed and furnished by the Department payable to the Commonwealth and conditioned that the operator shall faithfully perform all of the requirements of this act The bond shall be in the amount of two hundred dollars ($200.00) per acre based upon the number of acres of coal which the operator estimates that will be stripped by open pit mining during one year immediately thereafter provided that no bond shall be for less than two thousand dollars ($2,000.00) Liability under such bond shall be for the duration of open pit mining at each operation and for a period of five years thereafter unless released prior thereto in a manner elsewhere provided by this act Such bond shall be signed by the operator and a corporate surety licensed to do business in the Commonwealth Provided however That the operator may elect to deposit cash or United States Government Securities with the Department in lieu of the surety bond hereinafter required The cash deposit or par value of such securities shall be equal to the sum required for a bond and shall be upon the same terms and conditions The Secretary of Mines shall upon receipt of any such deposit of cash or securities immediately place the same with the State Treasurer whose duty it shall be to receive and hold the same in the name of the Commonwealth in trust for the purposes for which such deposit is made The State Treasurer shall at all times be responsible for the custody and safekeeping of such deposits The operator making the deposit shall be entitled from time to time to demand and receive from the State Treasurer on the written order of the Secretary the whole or any portion of any securities so deposited upon depositing with him in lieu thereof other United States Government securities of a par value at least equal to the sum required for a bond as aforesaid and also to demand receive and recover the interest and income from said securities as the same becomes due and payable Provided however That where securities deposited as aforesaid mature or are called the State Treasurer at the request of the operator shall convert such securities into other acceptable securities designated by the operator Contemporaneous with and as a condition precedent to the filing of said certificate and any renewal thereof the operator shall pay to the Department a filing fee of one hundred dollars ($100.00)

Section 5 Within thirty (30) days after starting the removal of overburden at an operation for the removal of coal by open pit mining the operator shall file an operation report with the Department of Mines on a form to be prescribed and furnished by the Secretary giving the following information (a) Name or number of the operation (b) Location of the operation as to county and township and with reference to the nearest public road (c) A description of the tract or tracts by metes and bounds and (d) The name and address of the land-owner or the name and address of the land owner's duly authorized representative

Section 6 Within six (6) months after the operation is finished or abandoned the operator shall file with the Department of Mines a Completion Report on a form to be prescribed and furnished by the Secretary identifying the operation stating the area of land affected by open pit mining stating whether the operator intends to carry on drift mining upon the premises and what provision has been made therefor The operator shall attach to the Completion Report a map of the operation certified to a registered professional engineer showing the boundary lines of the tract or tracts the access to the operation from the nearest public highway the area of land affected by open pit mining the locations preserved for drift mining and the proposed plans in connection therewith

Section 7 If the operation is not completed or abandoned within one year following the date of filing the certificate the operator shall within sixty (60) days after the end of said year file with the Department of Mines an annual report on a form to be prescribed and furnished by the Secretary identifying the operation an stating the area of land affected by open pit mining during the year

Section 8 Upon receipt of said completion report or annual report the Secretary of Mines shall charge the area affected by open pit mining against the bond or deposit filed by the operator at the time of registration at the rate of two hundred dollars ($200.00) per acre Should the area actually affected by open pit mining within the year exceed the estimate made at the time of registration the operator shall within thirty (30) days thereafter file an amended certificate and additional bond If the area actually affected by open pit mining during the year is less than the estimate the Secretary shall issue a release of the surplus of the bond or deposit upon which liability has not been charged as aforesaid

Section 9 If the operator continues to engage in open pit mining of bituminous coal beyond the period for which the certificate has been filed a renewal of the certificate shall be filed with the Department of Mines together with a bond or deposit in accordance therewith as hereinbefore provided in the case of the original certificate

Section 10 Within one year after the operation is completed the operator shall place sufficient overburden in the open cut to cover the exposed face of the unmined coal which shall begin at least three feet above the top of the coal and shall extend to the bottom of the pit at an angle not to exceed 45 degrees except high walls where strip mining cuts into active worked out or abandoned deep mine workings in which case the angle shall not exceed forty-five (45) degrees from the top of such wall to the bottom thereof and the peaks and ridges of spoilbanks shall be leveled and rounded off to such an extent as will permit the planting of trees grasses or shrubs and rejected coal and combustive material shall not be used on the high wall bank Provided however That if the operator desires to conduct drift mining upon the premises he may designate drift locations at which places it will not be necessary to so place overburden over the face of the coal Such drift locations shall be described in the completion report and designated on the map attached thereto Provided also That if the operator desires to use the open cut as a haulageway for the removal of coal from other operations he may with the consent of the Secretary of Mines postpone the covering of the exposed face of the unmined coal for the duration of such use

Section 11 Within one year after the open pit mining operations on the premises are terminated the operator shall plant trees shrubs or grasses upon the lands affected by open pit mining when deemed necessary the secretary may extend the period for planting trees shrubs or grasses beyond the limitations of the period of time

provided in this act and if the Secretary of Forests and Waters shall find as a fact that such planting is reasonable practicable and likely to succeed Such planting shall be done in accordance with a plan or procedure prescribed by the Secretary of Forests and Waters The trees shrubs or grasses shall become the property of the land owner unless the operator and the land owner agree otherwise The operator may secure the seeds plants or seedlings from any source approved by the Secretary of Forests and Waters

Section 12 When the planting is completed the operator shall file a planting report with the Secretary of Forests and Waters on a form to be prescribed and furnished by the Secretary giving the following information (a) identification of the operation (b) the type of planting (c) the date of planting and (d) the area of land planted The Secretary of Forests and Waters shall inspect the premises either in person or by his duly authorized representative within one (1) year after the planting report is filed. If the Secretary finds that the planting has been done in a workmanlike manner and that the area reported has been planted in accordance with the prescribed plan or procedure the Secretary shall certify such performance to the Department of Mines and the Secretary of Mines shall issue a release of the bond or of cash or securities deposited in proportion to the area planted Upon the presentation of such release the State Treasurer shall immediately return to the operator the amount of cash or securities specified in its release

Section 13 The operator may for reasonable cause with the consent and approval of the Secretary of Forests and Waters plant a similar area of land previously affected by open pit mining by himself or any other operator in lieu of planting the particular land covered by the bond and thereby be released from liability under the bond or deposit accordingly

Section 14 If upon inspection the Secretary of Forests and Waters does not approve the planting he shall notify the operator in writing setting forth the objections and reasons therefor The operator may then take such steps as are required to remove the objections

Any operator or landowner, notwithstanding the operator may have registered as required by section four of this act, who shall be aggrieved by any requirement of this act, or any administrative regulation, directive or order making application of the provisions of this act, shall have the right to file a petition in the court of common pleas of the county where the land is located alleging therein the action complained of and praying for remedy thereof, and the said court shall proceed therein by rule or rules upon the proper administrative officer, body or authority to show cause why the petitioner should not have the remedy prayed for by his, her or its petition. The court in such proceedings shall make such proceedural orders as may be necessary for facilitating and expediting hearings and disposition of the matters complained of. From the decision of the said court of common pleas an appeal may be taken by either party to the Superior Court of Pennsylvania as in other causes. Every such petition shall specify the petitioner's objection to the action of the administrative officer, body or authority and such officer, body or authority on or before the return day of the rule shall make answer thereto and certify to the said court of common pleas the record of the proceedings to which the petition refers. Such record shall include the testimony taken therein, the findings of fact, if any, of the officer, body or authority based upon such testimony, and a copy of all decisions and orders made by the said officer in the proceedings. The case shall be heard upon the record certified to the court as aforesaid. No additional testimony shall be taken before the court but the court may in proper cases remit the record to the respondent for the taking of further testimony, and from the record the court may review, modify or affirm, or make new findings of fact, as well as decide the law applicable

Section 15 If the operator fails or refuses to comply with the requirements of the act in any respect for which liability has been charged on the bond the Secretary of Mines shall declare such portion of the bond fortified and shall certify the same to the Department of Justice which shall proceed to sue out and collect the amount of liability forfeited thereon and where the operator had deposited cash or securities in lieu of bond the Secretary of Mines shall declare such portion of said deposit forfeited and shall direct the State Treasurer to pay said funds into the Bituminous Coal Open Pit Mining Reclamation Fund or to proceed to sell said securities to the extent forfeited and pay the proceeds thereof into the Bituminous Coal Open Pit Mining Reclamation Fund Any operator aggrieved by reason of forfeiting the bond or selling securities as herein provided shall have a right to contest such action and appeal as provided in section fourteen of this act

Section 16 Any operator who proceeds to mine bituminous coal by the open pit mining method without having registered as herein provided shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000.00) The fine shall be payable to the county in which the violation occurs

Section 17 The provisions of this act shall not apply to any person partnership or corporation who does not mine in excess of two hundred and fifty (250) tons of coal in any period of twelve successive calendar months

Section 18 All funds received by the Secretary of Mines from registration fees and from forfeiture of bonds and of cash deposits and securities shall be held by the State Treasurer in a special fund separate and apart from all other moneys in the State Treasury to be known as the "Bituminous Coal Open Pit Mining Reclamation Fund" and shall be used by the Secretary of Forests and Waters for the sole purpose of foresting or reclaiming land affected by open pit mining of bituminous coal and for such purposes are hereby specifically appropriated to the Department of Forests and Waters Funds received from the forfeiture of bonds and cash deposited in lieu of bonds shall be expended by the Secretary of Forests and Waters upon lands situated in the county in which the operation upon which liability was charged on the bond is located and the money in said fund to be spent at the discretion of the Secretary of Forests and Waters for back-filling or planting

Section 19 All acts or provisions thereof inconsistent herewith are hereby repealed Provided however That the act of Assembly approved the eighteenth day of June Anno Domini one thousand nine hundred forty-one (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulations of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" and the act of Assembly approved on the twenty-fifth day of June Anno Domini one thousand nine hundred thirty-seven (P. L. 2275) entitled "An act to promote safety for the traveling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways and the furnishing to said department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties" and all other acts and provisions thereof which regulate the mining of bituminous coal shall not be repealed or nullified by this act but shall remain in full force and effect Nothing in this act shall be construed to abrogate or modify the power and jurisdiction of the Department of Mines to make rules and regulations and to administer the laws of the Commonwealth applicable to open pit mining

Section 20 This act shall become effective immediately upon its final enactment provided however that any per-

son who is in business when the act shall become effective shall have ninety (90) to file his plans specifications and bond

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I would like to interrogate the Majority Floor Leader.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, is it not true that several weeks ago, say about five weeks ago, the Governor and the Committee on Mines and Mining made a trip to the strip mining fields of western Pennsylvania to ascertain what would be proper legislation to correct the conditions resulting from coal stripping operations?

Mr. LICHTENWALTER. That is correct, sir.

Mr. PETROSKY. Is it not true, Mr. Speaker, I believe three weeks after that official trip that again the Committee on Mines and Mining and the Governor were asked to make a tour of certain other strip operations by the Mineral Producers Association?

Mr. LICHTENWALTER. To the best of my knowledge that trip was made. I only recall that the Governor and the Committee at the moment made that trip to view some of the more outstanding strip mine operations.

Mr. PETROSKY. Further, is it not true that upon the first trip that was made to the fields the Governor made certain recommendations to the Legislature on what kind of strip mining legislation should be passed?

Mr. LICHTENWALTER. I do not know just what recommendations the Governor made.

Mr. PETROSKY. A week after the trip was made by the Committee on Mines and Mining—I don't know whether the Governor was along or not, the trip was sponsored by the Mineral Producers Association—was it not true, Mr. Speaker, that the Governor recommended to the Legislature legislation that was to be acted upon and considered by the Committee which does not appear in Senate Bill 183 at the present time?

Mr. LICHTENWALTER. Mr. Speaker, I do not recall any such action. I believe that the amendments that were presented to the Committee were prepared by the Attorney General of Pennsylvania, who is greatly interested in this problem of strip mining which is part of the Governor's conservation program. I know of no other recommendations that were made or suggested to the Committee except those which appear at this time in the bill.

Mr. PETROSKY. I thank the gentleman.

May I interrogate the gentleman from Indiana, Mr. Hewitt?

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. HEWITT. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I would like to inquire of the gentleman from Indiana, Mr. Hewitt, as to whether there were not certain amendments prepared by the Governor's office several weeks ago and printed in great quantity—I believe one hundred or more copies of it were printed and presented to different Members of the House for certain amendments to be embodied in Senate Bill 183.

Mr. HEWITT. Mr. Speaker, I was waiting until I was recognized by the Chair to see if I was being interrogated. I did not hear the first part of the gentleman's question.

Mr. PETROSKY. Mr. Speaker, is it not true that certain amendments were printed in great quantity by the Governor's office and presented to the legislative body for consideration?

Mr. HEWITT. That is after the second trip that the gentleman is speaking of?

Mr. PETROSKY. That is correct.

Mr. HEWITT. There were certain amendments presented to my Committee on Mines and Mining.

Mr. PETROSKY. Were those amendments the Governor's recommendations to be inserted into Senate Bill 183?

Mr. HEWITT. They were not alone the Governor's recommendations, they were the recommendations of a number of interested parties.

Mr. PETROSKY. I would like to further inquire from the gentleman as to who the other interested parties were beside the Governor.

POINT OF ORDER

Mr. MAHANY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. MAHANY. The interrogation is not on the bill. I do not think this interrogation is in order.

The SPEAKER. The point of order is well taken. Will the Members please confine themselves to the bill?

Mr. PETROSKY. Mr. Speaker, I feel I am confining myself to the bill, inasmuch as the debate on the subject before us and what transpired in bringing this measure before the House, is relevant to the best interests of the public and the parties. But those are all the questions I have of the gentleman from Indiana.

Senate Bill 183 appears before this body for its consideration as part of the program that was presented to the Legislature and to the people of Pennsylvania by the Governor of the Commonwealth. The first recommendations of the Governor on strip mining legislation were very worthy and would have accomplished the things that Senate Bill 183 purports to do, but which it cannot do on account of the laxity in the provisions contained in this measure. The proper disposition of the problem that we are confronted with in the strip mining areas, the spoil banks and the outgrowth of the mining of agricultural land in western Pennsylvania could very well be taken care of under the provisions that were contained in the first amendments that were recommended by the Governor. I do not know why, if the Governor was sincere in the program that he had on strip mining legislation, those amendments were withdrawn. I can say, Mr. Speaker, that the amendments which provided for five hundred dollars per acre for the first ten acres and two hundred fifty dollars an acre thereafter would have been a good piece of strip mining legislation for the Commonwealth.

POINT OF ORDER

Mr. MAHANY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. MAHANY. The gentleman is not discussing the bill before the House, Mr. Speaker.

The SPEAKER. The gentleman is taking wide latitude. Will the gentleman please confine himself specifically to the question before the House?

Mr. PETROSKY. Mr. Speaker, the provisions in Senate Bill 183 at the present time I feel are inadequate. There is no doubt in my mind that the way the bill is drawn the two hundred dollars per acre that is going to be deposited by the operator will more than cover the work that is recommended to be done under the provisions of this act, but the amount of work that is required to be done under the act is the better part of the program we are passing. The provisions contained within this act will do nothing more than try to rehabilitate the land that has been stripped, and I understand that that can be done at approximately forty-five dollars an acre. The original thought under the Governor's program to the public of Pennsylvania was that the spoil banks be leveled off as nearly as possible, and that certainly would require more than what is asked for by Senate Bill 183. I feel that the majority party has been very insincere in its program. I think that the people of western Pennsylvania, and especially those of Westmoreland County, should know that Senate Bill 183 is truly a farce and that certainly nothing worth while can be done with the inadequate legislation that we are passing here today.

Mr. LANE. Mr. Speaker, the Members from western Pennsylvania are heartily in accord with the effort put forth in this bill. However, we have found one section which is rather vague and I would like to interrogate the gentleman from Indiana, Mr. Hewitt.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. HEWITT. I shall, Mr. Speaker.

Mr. LANE. I would like to call the gentleman's attention to Section 13 on page 9. I will call to his attention the wording:

> The operator may for reasonable cause with the consent and approval of the Secretary of Forests and Waters plant a similar area of land previously affected by open pit mining by himself or any other operator in lieu of planting the particular land covered by the bond and thereby be released from liability under the bond or desposit accordingly.

Will the gentleman please explain that section?

Mr. HEWITT. You will understand, Mr. Speaker, that there are a great many spoil banks that were produced a number of years ago. This section was very carefully figured out and has been considered for a period of two years by the Mines and Mining Committee of which I am a member. We have many spoil piles that were left there by operators who ceased operations six or eight years ago. These spoil piles have been left there by someone who is no longer responsible for that condition, and this idea was taken from the law of one of the other states. If there are spoil piles along our main highways and they become an eye sore to our people, and there is say a ten acre farm lying back over the hill some place, on a cheap piece of land worth only ten dollars an acre before the coal was taken out, out of sight of the highway, it is left to the discretion of the Department of Forests and Waters to plant this other ten acres in lieu of the ten to be stripped. That is what this section provides for, and it is considered a very good feature of the bill.

Mr. LANE. Mr. Speaker, could the gentleman from Indiana tell me if it would be possible under this bill for an operator of a stripping operation in Washington County to replant a similar area in Fayette County?

Mr. HEWITT. Under this section, Mr. Speaker, that would be left entirely to the Secretary of Forests and Waters.

Mr. LANE. I note, Mr. Speaker, in the first line of section thirteen that the operators may "for reasonable cause,"—could the gentleman tell me under the provisions of this act what would constitute reasonable cause?

Mr. HEWITT. Mr. Speaker, that would be up to the Secretary of Forests and Waters to decide.

Mr. LANE. It would be entirely within his jurisdiction?

Mr. HEWITT. That is correct.

Mr. LANE. I thank the gentleman, Mr. Speaker.

Mr. MAHANY. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Petrosky.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. MAHANY. Mr. Speaker, may I ask whether or not the gentleman would recommend that we vote "no" on Senate Bill 183?

Mr. PETROSKY. Mr. Speaker, I would recommend that you vote "no" on Senate Bill 183 because it will not do the job that they claim it will do, because of the laxity in the writing of the bill.

Mr. HEWITT. Mr. Speaker, I realize that the hour is getting late and that we will adjourn soon, so I do not wish to prolong this controversy unduly, but I want to say this, that this bill has received two years of study. When we took the first trip to Pittsburgh we were looking at high coal veins where the conditions were entirely different from the second trip. The second trip was for the purpose of seeing how reforestation was working out, and the provisions of Senate Bill 183 are the result of those two investigations, with the approval of the Governor, inasmuch as he did not want to back-fill at this time on account of the excessive cost. We found it would put a great many operators out of business and would interfere very seriously with strip mining at a time when it has been such a life saver in the war effort, and which we expect will continue. Therefore the bill was drawn up to take a step in the right direction and at the same time not lose sight of the war effort.

Mr. ANDREWS. Mr. Speaker, because I intend to vote against this bill I am asking my colleagues on this side of the House to take no note of my vote, but I want to explain why I am voting no.

I have been privileged to watch the progress of strip mining legislation in this session of the General Assembly from its inception. I have been privileged to discuss the matter with various persons in responsible positions who are greatly concerned about the strip mining situation.

When the gentleman from Indiana says that this bill is the result of two years' study I am sure that upon taking thought he will want to correct that statement, because this bill is the result of considerations and arguments and persuasions and shiftings in points of view that have arisen during the past month. There was an original in-

tention to write a strip mining bill from the standpoint of the Commonwealth, to write a strip mining bill from the standpoint of those who believe that the earth was a heritage that belonged, not simply to this generation, but a heritage that was held in trust for the next generation. Strip mining legislation was conceived by those who had it in mind to write such a bill and to press for its passage. Now, it came about that a strip mining bill, written by the miners for the miners was introduced in the Senate, and there was every probability that the bill would be passed by that body. For a time the matter was seriously discussed of drafting another bill for introduction in the House, a bill that would fulfill the objectives of those who had in mind to control strip mining. In some way that plan went astray. I say that plan went astray. Strip mining legislation originally contemplated a modest bond which would have entailed something in the line of restoring the strip mined territory to its original condition. Not such a bond as would have made it possible to restore the land to its original condition but continuing such stipulations as would probably have entailed a substantial expenditure for the restoration of the land upon the part of the strip miner. Then someone conceived the bright idea of raising the bond but lowering the requirements of the work to be done under the bond, and where three months ago there was an apparent agreement that at least one hundred dollars an acre would be spent, we now reach the point where we are asked to pass a bill where the expenditure entailed outside of a little covering work is confined to the planting of grasses, trees and shrubs, part of which work can be done for three dollars an acre, part of which can be done for seven dollars an acre and part of which can be done for ten dollars an acre.

It has been the plea that the strip miners are all strip mining for patriotic purposes and are essential for the purposes of the war, and therefore, their devastation must be increased accordingly, and the reason I am voting against this bill is because it is the most tragic idea that either I or you have seen in many a day—so inadequate and so devious in the way it reaches its final conclusion. Under the plea of patriotism these men who have made these stupendous profits with little investment in a short period of time have managed to reduce the liability that some months ago would have been placed at a maximum of a hundred dollars an acre they now emerged, because they are so patriotic, with obligations that may not place upon them more than ten dollars an acre.

Mr. ELISH. Mr. Speaker, I will be very brief. I am voting for the bill because there is no other bill, and because we have a problem in the western part of Pennsylvania that needs solution. This bill is loosely drawn, it is full of loopholes, it will not do the job that it is intended to do. We all know that. If any of you men would go to western Pennsylvania and talk to the strip operators or the mining people there they would tell you the facts and what is necessary to be done to put the land back as nature had it in the first place. I am warning you gentlemen here that this legislation will haunt you in years to come because it is inadequate. However, since there is no other bill, there is no other measure to help us out, I cannot do otherwise than to vote for this legislation.

Mr. LOVETT. Mr. Speaker, I just want to inform the Members before I start that it matters not how long they rattle inkwells or talk—that doesn't make any difference. I live away out near Pittsburgh and I possibly am not going to get home anyway so I might as well be here as anywhere else.

We people out in our district are very much interested in the legislation that is now before the House, and it is not our fault that it is now before this House. We realize that we have been in session since January and that there has been no legislation of this type before this House until now. I intend to take my time and fight for legislation in the interests of the people in my district.

The Governor himself has stated that he wants to preserve our farm lands, and you gentlemen know that this is not preserving any farm land in Pennsylvania. You gentlemen from out in the western end of the state are well aware of that fact. I realize that they claim that the cost is too great. I realize that the men who profit from these projects bathe in the sun in Florida on the profits they made out of these strip mines, while we look at the hills and mountains of dirt that they left after them.

This bill goes so far that it is going to plant some trees on some of those mountains of dirt that we have had out there for many years. I have a vision of some of them. You talk about alibis; they will be funny looking spectacles in some places. I am not surprised that we got this bill at this time. As a Member who has served for many sessions, we usually get these bills at this time.

As the gentleman from Washington said, you can vote for it or get nothing, that is true. I say you can vote for it and not get anything anyhow, and that is the reason I am going to vote against it, because I am not going to get anything if I do vote for it. Those who drafted this bill realize that we are not getting anything.

The bill pertaining to the purification of the streams forgot western Pennsylvania; this bill forgets western Pennsylvania too, and the gentleman last night tried to amend it to apply to the hard coal region unsuccessfully. I do not know what he wanted it for; it would be no good to him, not this bill. The reason why? If we could find some way of making some more profit out of this shale and stone and muck that they pile around us in western Pennsylvania by putting it back into the holes, there would be a grand scramble by these operators to make more profits to go to Florida and bathe in the sunshine.

I realize that it matters not how long I talk here I am still not going to accomplish much, only bear in mind that you Members some day not far off will regret the passage of this kind of legislation. To my mind you might as well tell the people of western Pennsylvania "We are not going to do anything for you." I will vote against the bill.

Mr. BONEY. Mr. Speaker, just to clarify the record or keep the record clear, I would like to say if our amendments were accepted I feel that we would have made a bill out of this bill.

While I am standing here I would also like to add my protest. What I cannot understand is why a certain part of the State was picked out to alleviate a condition that was general. In my opinion this is nothing but rank and pure discrimination.

On the question recurring,

Shall the bill pass finally?

Agreeably to provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Baker,	Getchey,	Lopez,	Riley,
Barton,	Gibson,	Lyons,	Robertson,
Baumunk,	Goodling,	Madden,	Root,
Bentzel,	Gore,	Madigan,	Rudisill,
Bonawitz,	Grant,	Mahany,	Salus,
Boney,	Greenwood,	McAtee,	Schuster,
Boorse,	Greer,	McClester,	Serrill,
Boory,	Guthrie,	McCormack,	Shaffer,
Bower,	Gyger,	McDowell,	Shoemaker,
Brancato,	Haberlen,	McKinney,	Smith,
Breisch,	Hall,	McLanahan,	Snider,
Brice,	Hamilton,	McMillen,	Snyder,
Brothers,	Hare,	McNally,	Sollenberger,
Brunner, C. H.,	Haudenshield,	Mihm	Sorg,
Brunner, P. A.,	Heatherington,	Mikula,	Stank,
Burns,	Helm,	Miller	Stockham,
Cadwalader,	Hennihan,	Milliken,	Stonier,
Chervenak,	Herman,	Mills,	Stuart,
Chudoff,	Hersch,	Mooney,	Swope,
Cohen,	Hewitt,	Moore, C. E.,	Tahl,
Cook,	Hoffman,	Moran,	Tittle,
Cooper,	Hoopes,	Moser,	Trachtman,
Coyle,	Howells,	Murray, M. L.,	Trent,
Cullen,	Hunter,	Murray, P. G.,	Turbett,
Dague,	Huntley,	Myhan,	Turner,
Dalrymple,	James,	Nelson,	Varallo,
Dennison,	Jones,	O'Connor,	Wachhaus,
Depuy,	Kennedy,	O'Dare,	Wagner,
Dix,	Kirley,	O'Donnell,	Waterhouse,
Duffy,	Kline,	Owens,	Watkins,
Dye,	Kolankiewicz,	Pickens,	Weiss,
Elish,	Komorofski,	Polaski,	Welsh,
Erb,	Krise,	Polen,	Wescott,
Ewing,	Kurtz,	Powers,	White,
Flack	Lane,	Propert,	Wood, N.,
Fleming,	Laughner,	Readinger,	Worley,
Foor,	Lee,	Reagan,	Wright,
Fox,	Leisey,	Reese, D. P.,	Yeakel,
Frost,	Leonard,	Reese, R. E.,	Fiss,
Fullerton,	Lichtenwalter,	Reidenbach,	Speaker.
Gardner,	Longo,	Reilly,	

NAYS—12

Andrews,	Dougherty,	Levy,	Nagel,
Coleman,	Freed,	Lovett,	Pentrack,
Dillon,	Gaffney,	McNair,	Petrosky,

NOT VOTING—33

Barrett,	Gallagher,	Munley,	Scanlon,
Bentley,	Green,	O'Brien,	Skale,
Boles,	Hering,	O'Neill,	Sloan,
Brown,	Hoggard,	Pettigrew,	Tate,
Corrigan,	Loftus,	Regan,	Trout,
Costa,	Matthews,	Reynolds,	Verona,
Coulson,	Modell,	Rose,	Wood, L. H.,
Elder,	Moore, W. J.,	Royer,	Yester,
Finnerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 319, as follows:

An Act to further amend section thirty-two of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-two of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies off electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 702) and as amended in part by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 32 Mail Check-up of Register (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) of this section

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed

by section thirty-three of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless his qualifications as an elector are proved Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Freed,	Lichtenwalter,	Root,
Baumunk,	Frost,	Loftus,	Royer,
Bonawitz,	Fullerton,	Lyons,	Salus,
Boorse,	Gardner,	Madden,	Serrill,
Bower,	Getchey,	Madigan,	Shoemaker,
Breisch,	Gibson,	Mahany,	Sloan,
Brice,	Goodling,	McAtee,	Smith,
Brunner, C. H.,	Greenwood,	McClester,	Snyder,
Cadwalader,	Greer,	McCormack,	Sollenberger,
Cook,	Guthrie,	McDowell,	Sorg,
Cooper,	Gyger,	McKinney,	Stockham,
Costa,	Hall,	McMillen,	Stonier,
Coulson,	Hare,	Mikula,	Stuart,
Dague,	Haudenshield,	Miller,	Tahl,
Dalrymple,	Helm,	Milliken,	Tittle,
Dennison,	Hewitt,	Moore, C. E.,	Trout,
Depuy,	Hoffman,	Moser,	Turbett,
Dix,	Hoopes,	Murray, P. G.,	Turner,
Dye,	Howells,	Nelson,	Wachhaus,
Elder,	Huntley,	O'Dare,	Wagner,
Elish,	James,	Pickens,	Waterhouse,
Erb,	Kennedy,	Polen,	Watkins,
Ewing,	Kline,	Propert,	Wescott,
Flack,	Krise,	Reagan,	Wood, L. H.,
Fleming,	Kurtz,	Reese, D. P.,	Wood, N.,
Foor,	Laughner,	Reilly,	Worley,
Fox,	Lee,	Riley,	Yeakel,
	Leisey,	Robertson,	Fiss,
			Speaker.

NAYS—92

Andrews,	Gallagher,	Matthews,	Powers,
Baker,	Gore,	McLanahan,	Readinger,
Barrett,	Grant,	McNair,	Reese, R. E.,
Bentzel,	Green,	McNally,	Reidenbach,
Boney,	Haberlen,	Mihm,	Reynolds,
Boory,	Hamilton,	Mills,	Rose,
Brancato,	Heatherington,	Modell,	Rudisill,
Brothers,	Hennihan,	Mooney,	Scanlon,
Brown,	Hering,	Moore, W. J.,	Schuster,
Brunner, P. A.,	Herman,	Moran,	Shaffer,
Burns,	Hersch,	Munley,	Snider,
Chervenak,	Hoggard,	Murray, M. L.,	Stank,
Chudoff,	Hunter,	Myhan,	Swope,
Cohen,	Jones,	Nagel,	Tate,
Coleman,	Kirley,	O'Brien,	Trachtman,
Corrigan,	Kolankiewicz,	O'Connor,	Trent,
Coyle,	Komorofski,	O'Donnell,	Varallo,
Cullen,	Lane,	O'Neill,	Verona,
Dillon,	Leonard,	Owens,	Weiss,
Dougherty,	Levy,	Pentrack,	Welsh,
Duffy,	Longo,	Petrosky,	White,
Finnerty,	Lopez,	Pettigrew,	Wright,
Gaffney,	Lovett,	Polaski,	Yester,

NOT VOTING—4

Bentley,	Boles,	Regan,	Skale,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 320, as follows:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 686) is hereby further amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting for the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector

in this city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Frost,	Loftus,	Royer,
Baumunk,	Fullerton,	Lyons,	Salus,
Bonawitz,	Gardner,	Madden,	Serrill,
Boorse,	Getchey,	Madigan,	Shoemaker,
Bower,	Gibson,	Mahany,	Sloan,
Breisch,	Goodling,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snyder,
Brunner, C. H.,	Greer,	McCormack,	Sollenberger,
Cadwalader,	Guthrie,	McDowell,	Sorg,
Cook,	Gyger,	McKinney,	Stockham,
Cooper,	Hall,	McMillen,	Stonier,
Costa,	Hare,	Mikula,	Stuart,
Coulson,	Haudenshield,	Miller,	Tahl,
Dague,	Helm,	Milliken,	Tittle,
Dalrymple,	Hewitt,	Moore, C. E.,	Trout,
Dennison,	Hoffman,	Moser,	Turbett,
Depuy,	Hoopes,	Murray, P. G.,	Turner,
Dix,	Howells,	Nelson,	Wachhaus,
Dye,	Huntley,	O'Dare,	Wagner,
Elder,	James,	Pickens,	Waterhouse,
Elish,	Kennedy,	Polen,	Watkins,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Krise,	Reagan,	Wood L. H.,
Flack	Kurtz,	Reese, D. P.,	Wood, N.,
Fleming,	Laughner,	Reilly,	Worley,
Foor,	Lee,	Riley,	Yeakel,
Fox,	Leisey,	Robertson,	Fiss,
Freed,	Lichtenwalter,	Root,	Speaker.

NAYS—92

Andrews,	Gallagher,	Matthews,	Powers,
Baker,	Gore,	McLanahan,	Readinger,
Barrett,	Grant,	McNair,	Reese, R. E.,
Bentzel,	Green,	McNally,	Reidenbach,
Boney,	Haberlen,	Mihm,	Reynolds,
Boory,	Hamilton,	Mills,	Rose,
Brancato,	Heatherington,	Modell,	Rudisill,
Brothers,	Hennihan,	Mooney,	Scanlon,
Brown,	Hering,	Moore, W. J.,	Schuster,
Brunner, P. A.,	Herman,	Moran,	Shaffer,
Burns,	Hersch,	Munley,	Snider,
Chervenak,	Hoggard,	Murray, M. L.,	Stank,
Chudoff,	Hunter,	Myhan,	Swope,
Cohen,	Jones,	Nagel,	Tate,
Coleman,	Kirley,	O'Brien,	Trachtman,
Corrigan,	Kolankiewicz,	O'Connor,	Trent,
Coyle,	Komorofski,	O'Donnell,	Varallo,
Cullen,	Lane,	O'Neill,	Verona,
Dillon,	Leonard,	Owens,	Weiss,
Dougherty,	Levy,	Pentrack,	Welsh,
Duffy,	Longo,	Petrosky,	White,
Finnerty,	Lopez,	Pettigrew,	Wright,
Gaffney,	Lovett,	Polaski,	Yester,

NOT VOTING—4

Bentley,	Boles,	Regan,	Skale,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 321, as follows:

An Act to further amend section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 680) is hereby further amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute grounds for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within

five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Polen,	Watkins,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Krise,	Reagan,	Wood, L. H.,
Flack,	Kurtz,	Reese, D. P.,	Wood, N.,
Fleming,	Laughner,	Reilly,	Worley,
Foor,	Lee,	Riley,	Yeakel,
Fox,	Leisey,	Robertson,	Fiss,
Freed,	Lichtenwalter,	Root,	Speaker.
Frost,	Loftus,	Royer,	

NAYS—93

Andrews,	Gaffney,	Lovett,	Polaski,
Baker,	Gallagher,	Matthews,	Powers,
Barrett,	Gore,	McLanahan,	Readinger,
Bentzel,	Grant,	McNair,	Reese, R. E.,
Boney,	Green,	McNally,	Reidenbach,
Boory,	Haberlen,	Mihm,	Reynolds,
Brancato,	Hamilton,	Mills,	Rose,
Brothers,	Heatherington,	Modell,	Rudisill,
Brown,	Hennihan,	Mooney,	Scanlon,
Brunner, P. A.,	Hering,	Moore, W. J.,	Schuster,
Burns,	Herman,	Moran,	Shaffer,
Chervenak,	Hersch,	Munley,	Snider,
Chudoff,	Hoggard,	Murray, M. L.,	Stank,
Cohen,	Hunter,	Myhan,	Swope,
Coleman,	Jones,	Nagel,	Tate,
Corrigan,	Kirley,	O'Brien,	Trachtman,
Coyle,	Kolankiewicz,	O'Connor,	Trent,
Cullen,	Komorofski,	O'Donnell,	Varallo,
Dillon,	Lane,	O'Neill,	Verona,
Dougherty,	Leonard,	Owens,	Weiss,
Duffy,	Levy,	Pentrack,	Welsh,
Elish,	Longo,	Petrosky,	White,
Finnerty,	Lopez,	Pettigrew,	Wright,
			Yester,

NOT VOTING—4

Bentley,	Boles,	Regan,	Skale,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 322, as follows:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 659) and by the act approved the first day of August one thousand nine hundred forty-one (P. L. 694) is hereby further amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall either (1) direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by clause (e) of this section or (2) mail to such registered elector at the address given on his registration card the notice prescribed by clause (e) of this section Such notice when mailed shall be sent as first-class mail and shall contain on the outside a request to the postmaster to forward it if the addressee does not reside at the address given thereon

(e) The notice stipulated by clause (d) of this section shall require the registered elector to communicate with the commission on or before a date which the commission shall designate and which shall be not less than ten days and not more than thirty days from the service or mailing of the notice and in any case not later than the fifteenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not communicated with the commission and proved his qualifications as an elector Provided That when any registered elector who has been mailed the notice prescribed by this clause shall communicate with the commission claiming the right to remain registered at the address to which the original notice was mailed the commission shall cause an investigation to be made of such claim and if not satisfied of the right to remain registered at such address shall cancel the registration of the elector Every elector whose registration is cancelled in accordance with the provisions of this section shall be required to register in the manner provided by this act in order to be eligible to vote at any ensuing election or primary

[Provided however That the] (f) The registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Frost,	Loftus,	Royer,
Baumunk,	Fullerton,	Lyons,	Salus,
Bonawitz,	Gardner,	Madden,	Serrill,
Boorse,	Getchey,	Madigan,	Shoemaker,
Bower,	Gibson,	Mahany,	Sloan,
Breisch,	Goodling,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snyder,
Brunner, C. H.,	Greer,	McCormack,	Sollenberger,
Cadwalader,	Guthrie,	McDowell,	Sorg,
Cook,	Gyger,	McKinney,	Stockham,
Cooper,	Hall,	McMillen,	Stonier,
Costa,	Hare,	Mikula,	Stuart,
Coulson,	Haudenshield,	Miller,	Tahl,
Dague,	Helm,	Milliken,	Tittle,
Dalrymple,	Hewitt,	Moore, C. E.,	Trout,
Dennison,	Hoffman,	Moser,	Turbett,
Depuy,	Hoopes,	Murray, P. G.,	Turner,
Dix,	Howells,	Nelson,	Wachhaus,
Dye,	Huntley,	O'Dare,	Wagner,
Elder,	James,	Pickens,	Waterhouse,
Elish,	Kennedy,	Polen,	Watkins,
Erb,	Kirley,	Propert,	Wescott,
Ewing,	Krise,	Reagan,	Wood, L. H.,
Flack,	Kurtz,	Reese, D. P.,	Wood, N.,
Fleming,	Laughner,	Reilly,	Worley,
Foor,	Lee,	Riley,	Yeakel,
Fox,	Leisey,	Robertson,	Fiss,
Freed,	Lichtenwalter,	Root,	Speaker.

NAYS—92

Andrews,	Gallagher,	Matthews,	Powers,
Baker,	Gore,	McLanahan,	Readinger,
Barrett,	Grant,	McNair,	Reese, R. E.,
Bentzel,	Green,	McNally,	Reidenbach,
Boney,	Haberlen,	Mihm,	Reynolds,
Boory,	Hamilton,	Mills,	Rose,
Brancato,	Heatherington,	Modell,	Rudisill,
Brothers,	Hennihan,	Mooney,	Scanlon,
Brown,	Hering,	Moore, W. J.,	Schuster,
Brunner, P. A.,	Herman,	Moran,	Shaffer,
Burns,	Hersch,	Munley,	Snider,
Chervenak,	Hoggard,	Murray, M. L.,	Stank,
Chudoff,	Hunter,	Myhan,	Swope,
Cohen,	Jones,	Nagel,	Tate,
Coleman,	Kline,	O'Brien,	Trachtman,
Corrigan,	Kolankiewicz,	O'Connor,	Trent,
Coyle,	Komorofski,	O'Donnell,	Varallo,
Cullen,	Lane,	O'Neill,	Verona,
Dillon,	Leonard,	Owens,	Weiss,
Dougherty,	Levy,	Pentrack,	Welsh,
Duffy,	Longo,	Petrosky,	White,
Finnerty,	Lopez,	Pettigrew,	Wright,
Gaffney,	Lovett,	Polaski,	Yester,

NOT VOTING—4

Bentley,	Boies,	Regan,	Skale,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 323, as follows:

An Act to further amend section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county com-

missioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 654) and by the act approved the first day of August one thousand nine hundred forty-one (P. L. 664) is hereby further amended to read as follows

Section 30 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request of the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the boroughs towns and townships by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall either (1) direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by clause (e) of this section or (2) mail to such registered elector at the address given on his registration card the notice prescribed by clause (e) of this section Such notice when mailed shall be sent as first-class mail and shall contain on the outside a request to the poctmaster to forward it if the addressee does not reside at the address given thereon

(e) The notice stipulated by clause (d) of this section shall require the registered elector to communicate with the commission on or before a date which the commission shall designate and which shall be not less than ten days and not more than thirty days from the service or mailing of the notice and in any case not later than the fifteenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector At the expiration of the time specified in the notice the commission shall cancel the registration of such person who has not communicated with the commission and proved his qualifications as an elector Provided That when any registered elector who has been mailed the notice prescribed by this clause shall communicate with the commission claiming the right to remain registered at the address to which the original notice was mailed the commission shall cause an investigation to be made of such claim and if not satisfied of the right of the elector to remain registered at such address shall cancel the registration of the elector Every elector whose registration is cancelled in accordance with the provisions of this section shall be required to register in the manner provided by this act in order to be eligible to vote at any ensuing election or primary

[Provided however That the] (f) The registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Frost,	Loftus,	Royer,
Baumunk,	Fullerton,	Lyons,	Salus,
Bonawitz,	Gardner,	Madden,	Serrill,
Boorse,	Getchey,	Madigan,	Shoemaker,
Bower,	Gibson,	Mahany,	Sloan,
Breisch,	Goodling,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snyder,
Brunner, C. H.,	Greer,	McCormack,	Sollenberger,
Cadwalader,	Guthrie,	McDowell,	Sorg,
Cook,	Gyger,	McKinney,	Stockham,
Cooper,	Hall,	McMillen,	Stonier,
Costa,	Hare,	Mikula,	Stuart,
Coulson,	Haudenshield,	Miller,	Tahl,
Dague,	Helm,	Milliken,	Tittle,
Dalrymple,	Hewitt,	Moore, C. E.,	Trout,
Dennison,	Hoffman,	Moser,	Turbett,
Depuy,	Hoopes,	Murray, P. G.,	Turner,
Dix,	Howells,	Nelson,	Wachhaus,
Dye,	Huntley,	O'Dare,	Wagner,
Elder,	James,	Pickens,	Waterhouse,
Elish,	Kennedy,	Polen,	Watkins,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Krise,	Reagan,	Wood, L. H.,
Flack,	Kurtz,	Reese, D. P.,	Wood, N.,
Fleming,	Laughner,	Reilly,	Worley,
Foor,	Lee,	Riley,	Yeakel,
Fox,	Leisey,	Robertson,	Fiss,
Freed,	Lichtenwalter,	Root,	Speaker.

NAYS—91

Andrews,	Gallagher,	Matthews,	Powers,
Baker,	Gore,	McLanahan,	Readinger,
Barrett,	Grant,	McNair,	Reese, R. E.,
Bentzel,	Green,	McNally,	Reidenbach,

Boney,	Haberlen,	Mihm,	Reynolds,
Boory,	Hamilton,	Mills,	Rose,
Brancato,	Heatherington,	Modell,	Rudisill,
Brothers,	Hennihan,	Mooney,	Scanlon,
Brown,	Hering,	Moore, W. J.,	Schuster,
Brunner, P. A.,	Herman,	Moran,	Shaffer,
Burns,	Hersch,	Munley,	Snider,
Chervenak,	Hoggard,	Murray, M. L.,	Stank,
Chudoff,	Hunter,	Myhan,	Swope,
Cohen,	Jones,	Nagel,	Tate,
Coleman,	Kirley,	O'Brien,	Trachtman,
Corrigan,	Kolankiewicz,	O'Connor,	Trent,
Coyle,	Komorofski,	O'Donnell,	Varallo,
Cullen,	Lane,	O'Neill,	Verona,
Dillon,	Leonard,	Owens,	Weiss,
Dougherty,	Levy,	Pentrack,	Welsh,
Duffy,	Longo,	Petrosky,	White,
Finnerty,	Lopez,	Pettigrew,	Wright,
Gaffney,	Lovett,	Polaski,	Yester,

NOT VOTING—4

Bentley,	Boles,	Regan,	Skale,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 502, as follows:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of cities parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seventeen and subsection (a) of section thirty-four of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) are hereby further amended to read as follows

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice (a) The commission or any commissioner employe or clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the thirty days next preceding the primary election in the year one thousand nine hundred forty-one the fifty days next preceding each municipal or general election and in all subsequent years each primary election [the thirty-five days next preceding each municipal election or any special election not held on a day fixed for the holding of November or primary elections] and the thirty days next following each election and the five days next following each primary receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in each year the commission may also when it considers it necessary for the convenience of the electors provided one or more places of registration in each or any ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemridian and one postmeridian and between the hours of four and ten postmeridian on such days as may be selected by the commission which shall be not less than twenty days prior to the primary election in the year one thousand nine hundred and forty-one and not more than sixty days and not less than fifty days prior to any general or municipal election and the primary election in any subsequent year [and not more than forty days and not less than thirty-five days prior to any municipal election] Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

Section 34 Comparison and Correction of Registers (a) Commencing fifty days prior to each primary and each general election [and thirty-five days prior to each municipal election] the commission shall compare and correct the general and district registers

Section 2 This act shall remain in effect until the termination of hostilities in the present war and for six months thereafter The termination of hostilities in the present war shall be the time proclaimed as such by the President of the United States or the date specified as such in a concurrent resolution of the two houses of Congress

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, Senate Bill 502 is a bill affecting registration in Philadelphia. I do not want to take up too much of the time of the House, as I feel that this bill was debated on second reading. However, I just want to call to the attention of both sides of the House that this is another bill that would take——

The SPEAKER. Will the gentleman yield for a moment? There was a request that Senate Bill 502 and House Bill 1082 be debated at the same time. Is there objection?

Mr. SMITH. I withdraw the request, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, this bill is another bill affecting the registration of the people in Philadelphia. Each session as we come to the Legislature we find that another right of the citizens of Philadelphia to register is being taken away. During the last session of the Legislature the removal cards provision in the Permanent Registration Act was removed, and incidentally Philadelphia was the only county in the Commonwealth wherein removal cards were used. This session the administration—and this is an administration bill, so I am told, comes to the Legislature and says "Let's make it a little more difficult for the people in Philadelphia to register. Let us make the last day to register fifty days before election rather than thirty-five days."

I am afraid if this continues over a period of years it will be almost impossible for members of the great citizenry of Philadelphia to get an opportunty to register unless they take time off from business at a time most inconvenient to them, especially in these days when so many people are working in war plants. As a matter of fact, Philadelphia has more people working in war plants than perhaps any city in the United States. I say to you, Mr. Speaker, that this will cause great inconvenience, and I ask that both sides of the House vote against the bill.

Mr. SMITH. Mr. Speaker, I think the gentleman from Philadelphia did not give quite the right interpretation of this bill. Today in Philadelphia we have fifty days prior to a general election on the Gubernatorial and also Presidential elections. This bill applies only to the municipal election, and in the municipal election, under the new provision, we have with the soldier ballot June first which only gives us thirty-five days to complete the list, also to complete our street lists, and thirty-five days is not sufficient time.

The gentleman from Philadelphia knows that there have been five Registration Commissioners appointed, who are non-partisan and non-political. All of them have suggested that the Registration Commission be given more time to get their lists and their registrations in order.

This bill is one of a series of bills, four of which already have passed this House. It unifies the election code over the entire State of Pennsylvania. Philadelphia I feel needs the same kind of code that cities of the second class and boroughs and other municipalities need. We have in Philadelphia a much larger population in proportion to those towns. Our board is larger too, but we have a lot more people than any of these towns. Particularly the printing problem, as you know, is quite a problem, and we cannot get our printing done and our lists prepared as quickly as we used to be able to do.

Mr. TATE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. TATE. I desire to know from the gentleman why he thinks printing has something to do with this measure?

Mr. SMITH. Well, of course, Mr. Speaker, our street lists we hope to have prepared before election. In other words it used to be prepared before our primary election, but we hope to have our street lists prepared now before the general election.

Mr. TATE. Mr. Speaker, I desire to know further from the gentleman what the military ballot has to do with this measure.

Mr. SMITH. It has nothing to do with the measure, Mr. Speaker. It moves the primary election up to June rather than September when we used to have it. And that does not leave us fifty days between our primary election and our general election. That is the only reason.

Mr. TATE. I believe the gentleman stated in his remarks on the floor before that because it was necessary to prepare the military ballot list it became necessary to move up the last day for registration to fifty days before election. I would like the gentleman to clarify that.

Mr. SMITH. Mr. Speaker, I did not intend to make that statement, and if I did, I did not mean it that way. Our primary election is brought up to June 1st for the military ballot.

Mr. TATE. Mr. Speaker, I desire to know from the gentleman whether or not the Registration Commissioners in the City of Philadelphia have complained about the present situation in which the last day for registration is thirty-five days before election.

Mr. SMITH. Mr. Speaker, they have complained. Of course, we are not dealing with the municipal election, but before the general election last year we had eight thousand people try to register on the last day. Now, it is a pretty hard job to get eight thousand people's cards lined up in the thirty-five day period.

Mr. TATE. Mr. Speaker, I thank the gentleman.

Just about this time in the closing days of the Session of 1943 we of Philadelphia argued on this floor for perhaps three hours the question of deleting from the registration code in the City of Philadelphia the so-called change of address cards. On that occasion it was pointed out how inconvenient a measure of that kind would be to the public in Philadelphia in view of war-time conditions. Now under the guise of uniformity throughout the state the powers that be in the City of Philadelphia have seen fit further to jeopardize the franchise of the people of the City of Philadelphia. They have even gone further to jeopardize the boys at the front who, because of conditions that are occuring day by day, will soon return to our shores and will seek an opportunity to register before the Registration Commission. I say to you that I know the conditions of the Registration Commission of Philadelphia, and I know that the administration of their office has continued to be more efficient year by year. I know they are in good position to handle this situation on a thirty-

five day basis so that they can give an efficient registration service to the people of Philadelphia. By taking fifteen days from the registration list it puts them in a position where they are disfranchising as many as thirty to thirty-five thousand people.

The gentleman in his remarks referred to the fact that on the last few days for registration in the presidential campaign of 1944 it was necessary to open the Registration Commission in the evenings, and on three successive evenings they registered eight or nine thousand people. Those of you who were close to the City of Philadelphia saw stories of packed registration rooms at that time. It certainly seems to me that the people of Philadelphia are entitled to more time to register rather than cutting down that time as this measure intends to do.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. ROSE. Would the gentleman tell me whether he as a Member of the Legislature had occasion to consult with the leader of the Republican Party in Philadelphia, Mr. Harris, with respect to this legislation?

Mr. SMITH. No, Mr. Speaker, I did not consult with the leader of the Republican Party in any way whatsoever about this legislation.

Mr. ROSE. Does the gentleman know whether any other Member of the Philadelphia delegation in the House had occasion to discuss this legislation with him?

Mr. SMITH. No, Mr. Speaker, nor any other Members of the House.

Mr. ROSE. Whose baby is this?

Mr. SMITH. This happens to be one of a number of laws which have been passed—one of five or six laws which have been passed during this term and this would be one that applies to cities of the first class, and Philadelphia is the only city of the first class. This bill is only for the duration of the war—the duration and six months.

Mr. ROSE. Mr. Speaker, I had not intended to speak upon this measure today, but I feel that this is an opportunity for me individually to register my utter disgust at what has been going on in this session in the House.

We came here in the early part of January, I as well as the rest of the Members of the House and listened to the Governor state that this would not be a political session of the House——

POINT OF ORDER

Mr. SALUS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SALUS. The gentleman is not speaking on the question that is now before the House, but is going into other legislation of the past.

The SPEAKER. The point of order is well taken. Will the gentleman please confine himself to the question before the House.

Mr. ROSE. The gentleman who just rose to the point of order I think is most skillful in debating measures coming before this House, and has gone well around the bush on every measure we have had up here. I am confining my discussion solely to this bill.

I just want to point out to the Members of the House that here again we have another evidence of lack of consideration by the Republican party of the needs of the people of Philadelphia. I know full well that the Republican Members of this House have had an opportunity at this session to do things that will be beneficial to the city, but they have played nothing but partisian politics and have been totally negligent in considering their needs.

I want to point out to the Members of the House that I think the gentleman from Philadelphia, Mr. Smith, has indicated in reply to my interrogation——

POINT OF ORDER

Mr. WATERHOUSE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WATERHOUSE. Mr. Speaker, are we going to listen to partisan issues or are we going to listen to the question before the House?

The SPEAKER. The Chair has requested the gentleman to confine himself to the question. Will the gentleman please confine his remarks to the bill.

Mr. ROSE. In reply to my interrogation the gentleman from Philadelphia, Mr. Smith, had indicated that this was what he termed a duration measure, in other words, the provisions of this act were for the duration of the war and six months thereafter. I want to point out to the Members of the House that there is a greater need today to register than there is in normal times. Many of the people in Philadelphia are engaged in defense work today, in which they spend long hours and have done an excellent job. We of Philadelphia are proud of the achievements and the accomplishments of our people in defense plants. They have been compelled because of the housing situation in Philadelphia to move frequently, and because of the action of this Legislature in the dying moments of the Legislature in the last session have not been able to register by merely signing the change of address cards, so we want to give them the chance to exercise their right of franchise by re-registering, and here again we meet opposition. Now, I am not stupid enough to believe that this bill is not going to pass. I know full well that you have the votes over there, but I want to warn you on the other side that the people of Philadelphia look to us for legislation, constructive legislation, and when the soldiers return from the army they will find that all they got from the Legislature in addition to some other things, was a bill denying some of our people the right to register so they could exercise their franchise and vote.

Mr. MYHAN. Mr. Speaker, I am sorry that I have to take your time at this time, but it is very obvious that the bill before the House is a bill to deprive the people of Philadelphia of their fundamenal right to vote, and I am going to ask the Members of the House, in consideration of this fundamental right——

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, I want to say to the Members of this House that I have endeavored to conduct

the affairs of this Houese with propriety and celerity, but of they want to start inkwells rattling and make it impossible for Members to speak and receive attention, I can guarantee them that they will stay here until Monday and maybe Tuesday. We have been fairly decent over here, but if they want to get up and walk out, let them walk out.

The SPEAKER. The Chair will guarantee the same thing. Order must be maintained. We all realize that possibly we are a little tired and our nerves are on edge, but will the Members please bear in mind that we have a job to do?

Mr. LICHTENWALTER. Mr. Speaker, I would like to concur in the statements of the gentleman from Cambria. As I stated yesterday, we have tried to conserve the time of the Members of the House, and I am sure that by the tactics of the kind that he has described we will not be able to expedite the business before the House. I would urge the Members of the House to please be as quiet as possible and not do things in a way to disturb the nerves and the work of the Members.

Mr. LEVY. Mr. Speaker, I would like to ask a question of the gentleman from Philadelphia, Mr. O'Dare.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. O'DARE. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I have been delegated by the Democratic Members of the Legislature from Philadelphia to inquire of the gentleman from Philadelphia—and I am not smiling at him—is it not true that he did consult with Mr. Smith on the merits and the demerits of Senate Bill 502?

Mr. O'DARE. I did not.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Cullen, Gore and Heatherington asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—109

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Propert,	Watkins,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Fiss,
Freed,	Lichtenwalter,	Royer,	Speaker.
Frost,	Loftus,		

NAYS—88

Andrews,	Gaffney,	Matthews,	Readinger,
Baker,	Gallagher,	McLanahan,	Reese, R. E.,
Barrett,	Gore,	Mihm,	Reidenbach,
Bentzel,	Grant,	Mills,	Reynolds,
Boney,	Haberlen,	Mooney,	Rose,
Boory,	Hamilton,	Moore, W. J.,	Rudisill,
Brancato,	Heatherington,	Moran,	Scanlon,
Brothers,	Hennihan,	Munley,	Schuster,
Brown,	Hering,	Murray, M. L.,	Shaffer,
Brunner, P. A.,	Herman,	Myhan,	Snider,
Burns,	Hersch,	Nagel,	Stank,
Chervenak,	Hunter,	O'Brien,	Swope,
Chudoff,	Jones,	O'Connor,	Tate,
Cohen,	Kirley,	O'Donnell,	Trachtman,
Coleman,	Kolankiewicz,	O'Neill,	Trent,
Corrigan,	Komorofski,	Owens,	Varallo,
Coyle,	Lane,	Pentrack,	Verona,
Cullen,	Leonard,	Petrosky,	Weiss,
Dillon,	Levy,	Pettigrew,	Welsh,
Dougherty,	Longo,	Polaski,	White,
Duffy,	Lopez,	Polen,	Wright,
Elish,	Lovett,	Powers,	Yester,

NOT VOTING—10

Bentley,	Green,	McNally,	Regan,
Boies,	Hoggard,	Modell,	Skale,
Finnerty,	McNair,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

MESSAGE AND BILL TAKEN FROM TABLE

Mr. SMITH. Mr. Speaker, I move that the message from the Senate together with House Bill No. 1082, which was laid on the table April 30, 1945, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1082.

An Act to further amend the act. approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissioners, commissioners, registrars, inspectors of registration and other appointees of registration commission election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating ve-

hicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, by striking out the heavy faced bracket before the word "and" in line 28, and in line 29 after the word "six"; also on page 4, by striking out the heavy faced brackets before the word "months" in line 1, and after the word "years" in line 2; also on page 5, by striking out the heavy faced brackets before the word "until" in line 3, and after the word "years" in line 6; also in line 23, by striking out the heavy faced bracket before the word "and" and after the word "municipal".

Amend Section 3, page 9, line 14, by striking out the heavy faced bracket before the word "section"; also in line 16, by striking out the heavy faced bracket after the word "to".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHUDOFF. Mr. Speaker, House Bill 1082 also affects the registration of voters in Philadelphia. For the benefit of the Members of the House I believe in order to understand our objection to concurrence in the Senate amendments it will be necessary for me to go into the history of this bill.

In Philadelphia the Republican and Democratic Members of the Registration Commission sat down to discuss certain needed changes to the Permanent Registration Act covering cities of the first class, and it seems that everybody was in agreement concerning these changes. The gentleman from Philadelphia, Mr. Smith, thereupon introduced House Bill 1082, which passed this House without a dissenting vote. We felt that 1082 was exactly what the people of Philadelphia and the Registration Commission in Philadelphia, both Republicans and Democrats wanted, for the purpose of improving registration in the city of Philadelphia. However, when the bill was sent to the Senate—and I might say through no fault of the gentleman from Philadelphia, Mr. Smith, certain Senate amendments were placed in the bill by the Republican state administration in violation of the agreement between the Democrats and the Republicans of Philadelphia.

If I may quote my good friend from Philadelphia, Mr. Salus, we all love our city, and I believe that the Members of the House will agree that we were able to get together on most of the vital and important measures concerning Philadelphia. The Democrats of Philadelphia fell that it is just as important to have an accurate and an easy registration law as any other type of law in the State of Pennsylvania. In spite of this agreement, and in spite of the fact that Mr. Smith had agreed to these amendments to the registration act in Philadelphia the administration, in violation of that agreement, have placed in these amendments. I say to you, Mr. Speaker, that the only way this situation can be adequately handled and the only way that the affairs of the Registration Commission of the City of Philadelphia can be carried out is by non-concurring in these amendments, put the bill in Conference Committee and bring the thing out to everybody's satisfaction.

Mr. SMITH. Mr. Speaker, I think Mr. Chudoff used rather harsh words "violation of the agreement". The agreement was on the thirty-five day period. When the bill went to the Senate, we just passed it, it was a fifty day bill. To make the bill a good bill we had to inject a clause from the Mallory Bill into 1082, which was to make it constitutional; we cannot have one bill saying thirty-five days and the other fifty days. That was the only reason it was injected into the 1082 bill.

Mr. TATE. Mr. Speaker, the gentleman from Philadelphia, Mr. Smith, refers to an agreement. I suppose there were several agreements on this particular matter. I suppose as originally introduced in this House it was a good bill. As the gentleman from Philadelphia, Mr. Chudoff, pointed out, it had several features which would promote the efficient operation of the Registration Commission in Philadelphia, to which the Democratic minority on ths side agreed. Through some gesture or through some trick the Senate inserted the amendments which changed the last day for registration from thirty-five to fifty days. I say to you, Mr. Speaker, if they really want to make this a bill in accordance with the original agreement they should have deleted the reference to the last day for registration in this particular bill. There is no particular reason why you must have two bills referring to the last day for registration. I am sure that the Attorney General's office and the Reference Bureau could very readily reconcile the situation by accepting the 502 Bill so far as the registration date is concerned and accepting House Bill 1082 so far as the administrative changes are concerned. I ask that the Members on this side vote to non-concur.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—108

Barton,	Fullerton,	Loftus,	Salus,
Baumunk,	Gardner,	Lyons,	Serrill,
Bonawitz,	Getchey,	Madden,	Shoemaker,
Boorse,	Gibson,	Madigan,	Sloan,
Bower,	Goodling,	Mahany,	Smith,
Breisch,	Greenwood,	McAtee,	Snyder,
Brice,	Greer,	McClester,	Sollenberger,
Brunner, C. H.,	Guthrie,	McCormack,	Sorg,
Cadwalader,	Gyger,	McDowell,	Stockham,
Cook,	Hall,	McKinney,	Stonier,
Cooper,	Hare,	McMillen,	Stuart,
Costa,	Haudenshield,	Mikula,	Tahl,
Coulson,	Helm,	Miller,	Tittle,
Dague,	Hewitt,	Milliken,	Trout,
Dalrymple,	Hoffman,	Moore, C. E.,	Turbett,
Dennison,	Hoopes,	Moser,	Turner,
Depuy,	Howells,	Murray, P. G.,	Wachhaus,
Dix,	Huntley,	Nelson,	Wagner,
Dye,	James,	O'Dare,	Waterhouse,
Elder,	Kennedy,	Pickens,	Watkins,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Fiss,
Freed,	Lichtenwalter,	Royer,	Speaker.
Frost,			

NAYS—87

Andrews,	Gaffney,	Matthews,	Reese, R. E.,
Baker,	Gallagher,	McLanahan,	Reidenbach,
Barrett,	Gore,	Mihm,	Reynolds,
Bentzel,	Grant,	Mills,	Rose,
Boney,	Haberlen,	Mooney,	Rudisill,
Boory,	Hamilton,	Moore, W. J.,	Scanlon,
Brancato,	Heatherington,	Moran,	Schuster,
Brothers,	Hennihan,	Munley,	Shaffer,
Brown,	Hering,	Myhan,	Snider,
Brunner, P. A.,	Herman,	Nagel,	Stank,
Burns,	Hersch,	O'Brien,	Swope,
Chervenak,	Hunter,	O'Connor,	Tate,
Chudoff,	Jones,	O'Donnell,	Trachtman,
Cohen,	Kirley,	O'Neill,	Trent,
Coleman,	Kolankiewicz,	Owens,	Varallo,
Corrigan,	Komorofski,	Pentrack,	Verona,
Coyle,	Lane,	Petrosky,	Weiss,
Cullen,	Leonard,	Pettigrew,	Welsh,
Dillon,	Levy,	Polaski,	White,
Dougherty,	Longo,	Polen,	Wright,
Duffy,	Lopez,	Powers,	Yester,
Elish,	Lovett,	Readinger,	

NOT VOTING—12

Bentley,	Green,	McNally,	Reagan,
Boles,	Hoggard,	Modell,	Regan,
Finnerty,	McNair,	Murray, M. L.,	Skale,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 473, as follows:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of six million five hundred thousand dollars ($6,500,000) is hereby appropriated to the Department of Property and Supplies for the acquisition of land by purchase or condemnation for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension

Section 2 Within the intent of this act the word "construction" shall include in addition to the construction of new buildings the altering improving adding to or replacing of existing buildings the purchase or construction of water supply systems electrical and other facilities the altering improving adding to or replacing of existing water supply systems electrical and other facilities the purchase and installation of all necessary equipment in new or remodeled buildings and the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 3 The amount of the foregoing appropriation to be expended for or upon any project shall be subject to the approval of the Governor

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, we have now arrived at the beautification stage of the legislative journey, the elaboration of our Capitol Hill set-up and the appropriation of some six million five hundred thousand dollars for various un-named purposes here at Capitol Hill. As I recall the bills, we can build libraries, museum or memorials to William Penn and we can make Harrisburg a more delightful city in which to live, the capitol a more beautiful and luxurious place in which to legislate. We have not had money for a great many necessary enterprises. His Excellency the Governor has told you how pinched his exchequer is, he could not give the school teachers what they wanted, he could not put into the second injury fund what ought to have been there, but we have six million five hundred thousand dollars to spend here sometime for un-named purposes in connection with Capitol Park extension.

I do not doubt that that is a delightful bit of medicine for you to swallow—a delightful bit of medicine, six million five hundred thousand dollars, and at a time when there is so much money needed for necessary enterprises. Now, that becomes a matter of judgment and of conscience. We do not have the votes but we do file our objections, we do say that this expenditure is a denial of needed enterprises—we do not have enough money with which to build institutions for the wards of the state, but we have six million five hundred thousand dollars to expand Capitol Park. There is not enough money properly to take care of the lame and the halt and the blind, but we have six and a half million dollars for Capitol Park extension. All we can do is protest and carry the case to the country, appeal to the people against such a profligate expenditure at this time of six million five hundred thousand dollars for Capitol Park extension. It is a beautiful name, and it is a beautiful sum of money.

Mr. LICHTENWALTER. Mr. Speaker, I am not going to hold the Members very long before recess for dinner, but I would like to say briefly that two years ago we voted an appropriation. At that time it was not all voted for the purpose of Capitol Park Extension. We found in the appropriation that it did not carry some of the provisions necessary in order to carry out some of the laws that we passed two years ago. The matter of change of water lines, facility lines and condemnation of land in order to carry out what we already have placed on the statute books. All we are trying to do in this Legislature is to make the necessary appropriation so that we can carry out the provisions of legislation passed and now on the books.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. ANDREWS. "For the construction of new buildings including a memorial building to honor Willian Penn." Was that one of the necessary things that was included in the general program?

Mr. LICHTENWALTER. Mr. Speaker, I will admit to the gentleman that that is a part that was recommended by the Governor in his message, a new building which would not become a part of Capitol Park Extension, but the main appropriation and the plans for the buildings were provided in previous legislation.

Mr. ANDREWS. "Libraries, museums" is that an unnamed amount, or is that in the program? Is that money to be spent for relocation of something or improvement of something?

Mr. LICHTENWALTER. That is correct, it is for relocation and removal of the present library building to new facilities. That is a part of the program.

Mr. ANDREWS. Mr. Speaker, isn't it for relocation of water lines, sewage and sanitary facilities? You are not going to spend six and a half million dollars for that.

Mr. LICHTENWALTER. That is correct, Mr. Speaker, we will not.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,
Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Propert,	Watkins,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Fiss,
Freed,	Lichtenwalter,	Royer,	Speaker.
Frost.	Loftus,		

NAYS—88

Andrews,	Gaffney,	Matthews,	Readinger,
Baker,	Gallagher,	McLanahan,	Reese, R. E.,
Barrett,	Gore,	Mihm,	Reidenbach,
Bentzel,	Grant,	Mills,	Reynolds,
Boney,	Haberlen,	Mooney,	Rose,
Boory,	Hamilton,	Moore, W. J.,	Rudisill,
Brancato,	Heatherington,	Moran,	Scanlon,
Brothers,	Hennihan,	Munley,	Schuster,
Brown,	Hering,	Murray, M. L.,	Shaffer,
Brunner, P. A.,	Herman,	Myhan,	Snider,
Burns,	Hersch,	Nagel,	Stank,
Chervenak,	Hunter,	O'Brien,	Swope,
Chudoff,	Jones,	O'Connor,	Tate,
Cohen,	Kirley,	O'Donnell,	Trachtman,
Coleman,	Kolankiewicz,	O'Neill,	Trent,
Corrigan,	Komorofski,	Owens,	Varallo,
Coyle,	Lane,	Pentrack,	Verona,
Cullen,	Leonard,	Petrosky,	Weiss,
Dillon,	Levy,	Pettigrew,	Welsh,
Dougherty,	Longo,	Polaski,	White,
Duffy,	Lopez,	Polen,	Wright,
Elish,	Lovett,	Powers,	Yester,

NOT VOTING—10

Bentley,	Green,	McNally,	Regan,
Boies,	Hoggard,	Modell,	Skale,
Finnerty,	McNair,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 884

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1945.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 884, Printer's No. 430, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. STUART. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. FLEMING. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Stuart, vote on the final passage of this bill?

Mr. STUART. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Fleming, vote on the final passage of this bill?

Mr. FLEMING. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. STUART. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STUART. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title on page 1 by adding at the end of said title the following: and making an appropriation

Amend Section 7, page 5, by adding at the end thereof the following: Section 8. The sum of eight hundred thousand dollars ($800,000) is hereby appropriated to the Department of Health for the two fiscal years beginning the first day of June, one thousand nine hundred forty-five, for the purpose of general maintenance of said hospital and for the care and maintenance of patients thereof entitled to free service.

Amend Section 8, page 6, line 1, by striking out with bold-faced brackets the numeral "8", and inserting in lieu thereof the following: 9.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADDRESS HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise to make a very serious presentation, and I would like to have absolute quiet.

We from Philadelphia, both Democratic and Republican members have been rather friendly with a gentleman of this House whom we have met on many occasions on the streets of Harrisburg in the far flung hours of the early morning. We have grown to like him, I might even say to love him and respect him, yet the gentleman has one great failing—he brags a little too much.

Only the other day there came to us information that the gentleman from Erie was presented by one of his children with a grandson. I understand that the little tot has now reached the ripe age of three weeks. As I said before, Mr. Speaker, the gentleman has been doing a lot of bragging, and the story is current, and there is much foundation for it, that after the baby came back from the hospital, this little tiny tot, the gentleman from Erie proceeded to take the little baby to all the night spots in Erie in order that he might prematurely obtain a very high social education.

In a very serious mood, Mr. Speaker, and as I said before, on behalf of all the Members of the House from Philadelphia, both Democrats and Republicans, we wish to make a presentation with the view, and seriously so, that the gentleman from Erie will remain at home following the close of the session with this little tiny tot, instead of going the way of most of the night lifers in Erie.

Mr. Speaker, I desire to have the gentleman from Erie, Mr. Dalrymple present himself in the well of the House.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TURNER. Mr. Speaker, I always understood that it was one of the cardinal rules of this House that one gentleman never saw another gentleman when he was "out".

The SPEAKER. The point of order is well taken.

Mr. LEVY. Mr. Speaker, I am pleasurably surprised myself that we have in addition to the present to the gentleman from Erie, also one for the grandson. Here it is, the biggest all-day sucker ever made in Philadelphia. Also one for the infant.

Mr. DALRYMPLE. Mr. Speaker, particularly the Democrats and the Republicans from Philadelphia, I must disagree with the gentleman who made the presentation. So many of the members have criticized me for looking so young and being a grandfather. They say it is due to the early hours I keep, going to bed early and getting up early. (Laughter). That laughter was uncalled for. I do want to say that the gentleman must have been in Erie if he knew that I was in the night clubs.

I am going to present to the grandson this all-day sucker. I think it is an all-life sucker according to its size, and by the time he gets through with it he may be a Member of the House also.

And then again I must say that I must watch his registration so that he runs on the proper ticket and not do like these Philadelphia folks.

However, I do wish to thank the Members and the gentleman from Philadelphia. I am sure that the father and mother of this boy will appreciate the same when I present it to them when I arrive home in Erie. If you don't get me out of here soon he may be a lot older than you think he is before we get through.

I want to say thanks. It is a very beautiful thing. I don't think I'll start on mine, but if you will come to Erie I'll treat you right; I'll take you to the night clubs and show you a real time, not only the Members from Philadelphia, but the rest of you.

I can remember the mother of this boy when I held her in my arms—it doesn't seem to be so long, but it is many years ago. I am sure she will appreciate this little presentation also. She is a sweet girl—she is just like her father—she is as pure as the morning's dew. That is another example to the father. Then too her mother is a grand woman also. She has been with us all these years and took care of these children and has done a marvelous job in spite of her husband being a Member of this distinguished body.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

House Bills concurred in by Senate 24, 63, 66, 67, 94, 123, 139, 170, 288, 326, 328, 438, 578, 585, 587, 602, 636, 658, 675, 691, 714, 716, 722, 782, 828, 871, 881, 890, 958, 959, 1001, 1011, 1088, 1089, 1130,1131, 1132, 1133, 1184, 1194, 1199, 1234, 1235, 1267, 1271,1278, 1279, 1282.

Amended House Bills returned for concurrence 478, 660, 68, 138, 337, 633, 1225, 956, 1280, 1135, 1002, 986, 877, 839, 376, 273, 255, 148, 276, 509.

Amended Senate Bills concurred in by Senate 574, 745, 349, 66, 65, 61, 175, 393, 373, 31, 667, 573.

Amended Senate Bills non-concurred in by Senate 8.

Amended House Bills recalled from the Governor concurred in by the Senate 374.

Senate Bills to be signed 519, 718, 656, 657, 385, 577, 684, 102, 483, 616.

Report of Conference Committee adopted House Bill 501.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 9 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 9 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 24.

An Act to amend subsection (a) of section two of article two of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by making the mayor of any such city eligible to such office for one successive term

HOUSE BILL No. 63.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the necessity of proclaiming the names of persons elected to certain offices.

HOUSE BILL No. 66.

An Act making an appropriation to the Department of Forests and Waters for improvement and development of the Ports of Philadelphia Chester Pittsburgh and Erie

HOUSE BILL No. 67.

An Act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof

HOUSE BILL No. 94.

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

HOUSE BILL No. 123

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elctions the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further fixing the fee for filing nomination petitions for the office of county auditor in counties of the eighth class

HOUSE BILL No. 139.

An Act making an appropriation to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers the Pennsylvania Soldiers' Orphan School the Thaddeus Stevens Industrial School the Pennsylvania Oral School for the Deaf at Scranton the Pennsylvania State College historical monuments markers or properties in the custody of the Pennsylvania Historical Commission for purchase or condemnation of land for construction of new buildings for repair and alteration to and replacement of existing buildings and for architectural and engineering services for fixtures equipment sewage treatment plants water supply and electrical and other facilities

HOUSE BILL No. 170.

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

HOUSE BILL No. 288.

An Act authorizing the Department of Property and Suplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone and the farm where he was born and to provide for the control management supervision improvement preservation and maintenance thereof and making an appropriation

HOUSE BILL No. 326.

An Act making an appropriation to the Department of Welfare for the payment of the cost of building a protective wall along the bank of the Ohio River, roof repairs, steel beam supports and renewal of piping in power plant, and one new generator, all at The Dixmont Hospital, Dixmont, Allegheny County, Pennsylvania.

HOUSE BILL No. 328.

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital Dixmont Allegheny County Pennsylvania

HOUSE BILL No. 438.

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements prohibiting the sale of real property for the non-payment of such claims for a certain period preserving the liens of such claims and providing for the extention thereof

HOUSE BILL No. 578.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" changing the conditions to borrow money or current expenses

HOUSE BILL No. 585.

An Act to amend the title and sections one and two of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 476) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" by making the act applicable to counties of the second class and changing and further fixing such fees

HOUSE BILL No. 587.

An Act to amend section one hundred forty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth.

HOUSE BILL No. 602.

An Act to further amend section one of an act approved the eleventh day of June one thousand nine hundred fifteen (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks

HOUSE BILL No. 636.

An Act to further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers property and duties transferring certain powers duties and employes from the Department of Public Instruction to the said commission abolishing the Pennsylvania Historical Commission and making available to the commission moneys appropriated or allocated to or for the use of the Pennsylvania Historical Commission the State Museum and the Archives division of the State Library

HOUSE BILL No. 658.

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled " An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting federated women's clubs

HOUSE BILL No. 675.

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended " An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all maters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

HOUSE BILL No. 691.

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives

and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

HOUSE BILL No. 714.

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of register's bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

HOUSE BILL No. 716.

An Act to further amend sections one and eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors

HOUSE BILL No. 722.

An Act to amend section one of the act approved the third day of May one thousand nine hundred and fifteen (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" by extending said act to counties of the second class changing and further fixing the fees to be charged by said prothonotary

HOUSE BILL No. 782.

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third and fourth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local

HOUSE BILL No. 828.

An Act to further amend section two and to amend sections three and four of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" further regulating the returns of taxable property made by taxpayers under the provisions of said act

HOUSE BILL No. 871.

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section and making such further limitation retroactive

HOUSE BILL No. 881.

An Act requiring boards of prison inspectors in counties of the fourth class to pay the premium on all bonds required of employes appointed by the board

HOUSE BILL No. 890.

An Act to further amend section two thousand six hundred three of the act approved the eighteenth day of May one tohusand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the second third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city borough town or township

HOUSE BILL No. 958.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act'" by changing or deleting certain routes and adding certain new routes

HOUSE BILL No. 959.

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes

HOUSE BILL No. 1001.

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

HOUSE BILL No. 1011.

An Act to amend the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2687), entitled "An act authorizing the Secretary of Property and Supplies, with the approval of the Governor, to enter into contract with persons, firms or corporations to erect office buildings, and to lease such office buildings for the use of the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease," removing the authorization to contract for the erection of buildings.

HOUSE BILL No. 1088.

An Act to amend section six hundred two point one of article six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the sale of land or any interest therein

HOUSE BILL No. 1089.

An Act making real estate owned by the Commonwealth or any agency thereof, subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

HOUSE BILL No. 1130.

An Act to further amend section four hundred four and to amend sections four hundreed five and four hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in city housing projects in redevelopment areas as herein defined either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions.

HOUSE BILL No. 1131.

An Act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties

HOUSE BILL No. 1132.

An Act to amend the title and sections 2 3 4 6 and 10 to repeal section 19 of and to add section 21.1 to the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals

from its orders and making an appropriation" by substituting the Department of Commerce for the Department of Health eliminating the honorarium for members of the board requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director enlarging the board's general powers, and the plans to be filed therewith rescinding the provisions for selection and removal of the board's employes to transfer the board from the Department of Health to the Department of Commerce and making an appropriation

HOUSE BILL No. 1133.

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments.

HOUSE BILL No. 1184.

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by giving jurisdiction to the Municipal Court of Philadelphia County

HOUSE BILL No. 1194.

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in and an endowment fund for the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land located in Ephrata Lancaster County Pennsylvania

HOUSE BILL No. 1199.

An Act to further amend section four hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the preservation of certain records

HOUSE BILL No. 1234.

An Act to further amend sections one and ten of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

HOUSE BILL No. 1235.

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

HOUSE BILL No. 1267.

An Act ti further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

HOUSE BILL No. 1271.

An Act authorizing the laying out opening construction and maintenance of a State highway route in the County of Juniata and making an appropriation

HOUSE BILL No. 1278.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

HOUSE BILL No. 1279.

An Act to repeal the act, approved the tenth day of April, one thousand eight hundred seventy-three (P. L. 664), entitled "An act relating to the return days of the several courts of Dauphin County."

HOUSE BILL No. 1282.

An Act to further amend the title and section three of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as last amended "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania State Police, and the enforcement of its orders; and prescribing penalties," including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 31.

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land and for the construction of a Governor's Mansion

SENATE BILL No. 61.

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

SENATE BILL No. 65.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

SENATE BILL No. 66.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

SENATE BILL No. 175.

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions

SENATE BILL No. 349.

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages under agreement between the Commonwealth and the institution district and authorizing the Pennsylvania Turnpike Commission to pay certain moneys into the State Treasury for the taking of certain lands

SENATE BILL No. 373.

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering and the registration of barber shops barbers teachers of barbering students and apprentices

SENATE BILL No. 393.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossing of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

SENATE BILL No. 573.

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

SENATE BILL No. 574.

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and presecribing penalties" by providing an alternative method of collection of such tax

SENATE BILL No. 667.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervisions and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

SENATE BILL No. 745.

An Act authorizing the Pennsylvania Historical Commission to acquire by gift or purchase and to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County providing for the control and management thereof authorizing the Pennsylvania Historical Commission to cooperate with the Federal Government or any agency thereof or with other organizations and making an appropriation

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 660

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 660.

An Act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 374.

An Act to further amend the second paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled 'An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records,' making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1.

An Act to amend the title and certain sections, and to add certain new sections to the act approved the twenty-second day of June, one thousand nine hundred thirty-seven, (P. L. 1987), entitled "An act to preserve and improve the purity of the water of the Commonwealth for the protection of the public health, animal and aquatic

life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts", by changing the definitions of "establishment" and "industrial waste" by changing and adding penalties for violations and requiring certain prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Boards approval of plans of drainage and disposal of industrial waste and acid mine drainage before opening reopening or continuing the operation of coal mines, and the changing of approved plans by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 102.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

SENATE BILL No. 385.

An Act to amend paragraph two of subdivision (b) and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property

SENATE BILL No. 483.

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor

SENATE BILL No. 519.

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged

SENATE BILL No. 577.

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation of big game requiring report of such killing and providing penalties

SENATE BILL No. 616.

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work

SENATE BILL No. 656.

An Act to amend clause (a) of section three hundred one clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

SENATE BILL No. 657.

An Act to further amend clauses (a) (b) (c) (f) and (h) of section three hundred six and sections three hundred seven three hundred nineteen three hundred twenty by adding subsection (g) and four hundred twenty-eight of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" changing maximum and minimum rates total amounts and aggregate of compensation changing employers' rights of subrogation adding provision relative to parties held to be bound by act and changing provisions relative to entry of judgment on agreement award and claim petition

SENATE BILL No. 684.

An Act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its share holders and ratifying certain contributions

SENATE BILL No. 667.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilties by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals

SENATE BILL No. 718.

An Act to add section three hundred six and one-tenth to the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) entitled "An act to further reenact and amend the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' changing maximum and minimum rates periods total amounts and aggregate of compensation changing the system of computation if wages for compensation purposes changing practice and rules of evidence defining earning power after accident authorizing the board to terminate compensation in certain cases changing the classes of dependens entitled to compensation in case of death increasing powers and duties of the board and imposing additional penalties authorizing the department the board and the referees to approve compromise agreements in certain cases and generally amending clarifying and changing the provisions of said act" providing for payment in second injury cases and making an appropriation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Montgomery, Mr. Lloyd H. Wood, to preside.

MR. LLOYD H. WOOD IN THE CHAIR

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 501

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 501, Printer's No. 755, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonrestident real estate brokers and real estate salesmen and their business' by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business."

EDWARD MARTIN.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 68

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land park and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of land for State Parks and for the development thereof and for stream channel improvement and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owner for payment by the Commonwealth of a share of the cost of preparing plans and estimates for the construction of plants for the treatment of industrial waste and for the payment by the Commonwealth of a share of the cost of constructing such plants for conducting experiments and research to determine approved methods for controlling stream pollution and treating acid mine drainage and industrial waste and for the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 3 by striking out after the word "land" the word "park"; also page 1, line 7 by striking out after the word "of" the word "land" and inserting in lieu thereof the words "lands buildings or other properties".

Amend Section 1, page 2, line 1 by striking out after the word "of" the words "twelve million five hundred thousand dollars ($12,500,000) and inserting in lieu thereof "eighteen million five hundred thousand dollars ($18,500,000); also section 1, page 2, line 6 by striking out after the word "land" the word "park"; also section 1, page 2, line 10 by striking out after the word "of" the word "land" and inserting in lieu thereof the words "lands buildings or other properties"; also section 1, page 2, line 11 by inserting after the word "improvement" the words "for construction of dams to create lakes"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kinley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 138.

An Act authorizing the establishment, construction and maintenance of limited access highways and local service highways, and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor. providing for sharing the costs involved, and for the control of traffic thereover, providing penalties and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2 (d), page 3, line 2 by inserting after the word "highways" the following:

"Such local service highways shall be so located as to permit the establishment by private owners or their lessees of adequate fuel and other service facilities for the users of limited access highways The location of such facilities may be indicated to the users of the limited access highways by appropriate signs the size and location of which shall be determined by the authorities having

jurisdiction No commercial enterprise or activity shall be located or authorized by the state or by any political subdivision thereof within or on any public property which is part of the right of way of any limited access highway".

Amend section 8, page 4 line 18 by striking out after the word "ordinance" the words "In no case shall the obligation of the Department of Highways under such agreement exceed one third of the total amount of the damages".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare.	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Lloyd H. Wood, for presiding.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 337.

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4. line 14, by striking out the words "office judge or inspector of election justice of the peace or constable in".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare.	Varallo,
Depuy,	Kirley.	O'Donnell,	Verona.

Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 633.

An Act to add section 1402.1 and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title by striking out the words "and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of tax money through no fault of his own";

Amend section, page 2, line 6 by inserting after the word "office" the following: "whose number and compensation shall be fixed by Council and who in all other respects shall be considered as employees of the city"; also in section 2, page 4, line 22 by striking out the words "and the premiums on some form of casualty insurance which will safeguard and insure the tax collector against personal loss occasioned by the loss or destruction of tax money after the same has been collected by causes over which he had no control and for which no fault or blame was attached to him".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare.	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1082.

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate

brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing the provisions of said act as to the registration of electors before and after certain elections the preparation of street lists the cancellation of registrations for failure to vote and the destruction of records

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 724, as follows:

An Act to further amend subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further provisions for designation and selection of representatives for purposes of collective bargaining

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby further amended to read as follows

Section 7 Representatives and Elections

* * * *

(b) The board shall decide in each case whether in order to insure to employes the full benefit of their right to self-organization and to collective bargaining and otherwise to effectuate the policies of this act the unit appropriate for the purposes of collective bargaining shall be the employer unit craft unit plant unit or subdivision thereof Provided That if the majority of [a craft union within a plant or employer unit signify its] the employes of a particular craft signify a wish for a craft unit the board shall designate the craft unit as the unit appropriate for [the members of that union] collective bargaining for the employes of that particular craft

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,

Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 404, as follows:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-first day of June one thousand nine hundred and thirty--nine (P. L. 634) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the rule ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be deposited and maintained in a special fund designated as the "County Liquid Fuels Tax Fund" into which no other moneys shall be deposited and commingled Moneys so received and deposited shall be used only for the purpose of construction reconstruction maintenance and repaid of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated [.] Provided That no expenditures from the County Liquid Fuels Tax Fund shall be made by the county commissioners for new construction on roads or bridges without first having obtained the approval of the plans for such construction from the Department of Highways And Provided further That the county commissioners shall not allocate moneys from the County Liquid Fuels Tax Fund to any political subdivision within the county until the application and the contracts or plans for the proposed expenditures have been made on forms prescribed prepared and furnished and first approved by the Department of Highways The county commissioners of each county shall make to the [department] Department of Highways on or before the [first days of May and November] fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year on forms prescribed prepared and furnished by the [department] Department of Highways a report showing the receipts and expenditures of such moneys received [during the preceding six months] by the county from the Commonwealth under the provisions of this section [Such] Copies of such reports shall be transmitted to the department and to the Department of the Auditor General for audit Upon the failure of the County commissioners to file any one of such [report] reports or to make any payments allocations or expenditures in compliance with the provisions of this section the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed [.] transmitted or said moneys allocated or said expenditures for the prior six months are approved by the Department of Highways

(b) The county commissioners may allocate and apportion moneys from the County Liquid Fuels Tax Fund to the political subdivisions within the county in the ratio as provided in this subsection Provided however That when the unencumbered balance in the County Liquid Fuels Tax Fund is greater than the receipts for the twelve months immediately preceding the date of either of said reports the county commissioners shall notify the said political subdivisions to make application within ninety (90) days for participation in the redistribution of the said unencumbered balance and distribute the said unencumbered balance to the said political subdivisions making application therefor in the following manner fifty percent (50%) of said moneys shall be allocated and apportioned among the political subdivisions within the county in the ratio which the total mileage of all roads and streets maintained by the several political subdivisions making application bears to the total mileage of all such roads and streets maintained by such political subdivision in the county as of January first of the year in which an allocation is made and

Provided further That the remaining fifty percent (50%) of said moneys shall be allocated and apportioned among the same subdivisions on a population basis in the ratio which each such subdivision of the county making application bears to the total population of the whole county Provided further That in the case of an emergency and upon approval of the Department of Highways the county commissioners may enter into contracts and obligations for the expenditure of the estimated liquid fuels tax receipts for a period not exceeding two years and receive a credit for such expenditures against such subsequent receipts and Provided further That except in the case of an emergency as heretofore authorized no county shall carry over any credit balance against future fuel tax receipts from year to year and any credit balance now carried on the reports or in the records of the county commissioners the department or the Depuartment of the Auditor General are hereby specifically invalidated and declared null and void

(c) The Department of Highways shall annually issue to the county commissioners and to the corporate authorities of the political subdivisions in the counties copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipts and expenditures of any funds authorized to be apportioned allocated or expended as provided herein

[(b)] (d) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

Section 2 This act shall become effective on the first day of January one thousand nine hundred and forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolanklewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 344, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine is hereby amended to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time fifty million dollars ($50,000,000) Provided however That in determining the limit upon State debt under the provisions of this section no account shall be taken of the debt created under the provisions of the section prior to amendment nor shall any account be taken of the amount of any debt created under the provisions of any other section of this article

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,

Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 289, as follows:

An Act to further amend section four of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by adding clause (d) authorizing any school district to contract with public or private agencies for the use of its vocational school facilities in public schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" as last amended by section three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2548) is hereby further amended by adding after clause (c) a new clause to read as follows

Section 4 Any school district may through its board of school directors—

* * * * *

(d) Contract with public or private agencies for the use of its vocational school facilities for the education and training of the employes prospective employes clients or trainees of such public or private agencies Provided That the total income to the school district from such contracts and from appropriations to the school district from funds for the support of vocational education shall not exceed the total tuition charges as defined in the school laws

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley, Hoggard, Regan, Skale,
Boies,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE BILL No. 560 PLACED ON CALENDAR

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which Senate Bill No. 560, Printer's No. 584, entitled:

An Act to amend sections three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

on page 13 of today's calendar, bills and third reading, was dropped from the calendar, be reconsidered.

RECONSIDERATION OF VOTE

Mr. SORG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh. Mr. Lichtenwalter vote on the motion to drop the bill from the Calendar?

Mr. LICHTENWALTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg, vote on the motion?

Mr. SORG. Mr. Speaker, I voted in the majority.

On the question.

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 602, page 14, line 11, to page 15, line 28, by deleting the following:

[Provided however that the foregoing provisions shall not apply to any person who shall have served in the active military or naval service of the United States at any time after the sixth day of September one thousand nine hundred forty and prior to the termination of the present war and who shall have been honorably discharged or released from such active service and who at the time of the enactment of this amendment is employed or if at such time is serving in active military or naval service prior to such service was employed in a position as a war-duration or provisional employe in any of the offices or positions included in clause (c) of section three article one of this act and if any such person makes application to the Commission within ninety days after the enactment of this amendment or within ninety days after discharge or release from active service whichever is the latter for appointment to a position in the regular classified service in a class of service provided for the duties which he or she is performing at the time of enactment of this amendment or if at such time he or she is in active military or naval service was performing at the time he or she entered such service and notwithstanding any other provisions of this act or of any other act to the contrary and upon finding by the Commission that he or she possesses the minimum qualifications therefor such person shall be so appointed and any person who at the time of enactment of this amendment was employed as a referee in the Bureau of Employment and Unemployment Compensation of the Department of Labor and Industry or any person in a war-duration or provisional classification who was appointed prior to the fourth day of June one thousand nine hundred forty-three in any of the offices or positions included in clause (c) of section three article one of this act may make application to the Commission within thirty days after the enactment of this amendment for appointment under the regular classified service provided for the duties which he or she is performing at the time of enactment of this amendment and notwithstanding any other provisions of this act or any other act to the contrary upon finding by the Commission that he or she possesses the minimum qualifications therefor shall be so appointed. Any other person appointed to such position after the enactment of this amendment shall be appointed only is the manner provided in this act for employes in the classified service].

Amend Section 501, page 9, line 6, by placing bold faced bracket after the word "on" at the end of the line and inserting the word "in" following the bracket.

Amend Section 501, page 9, line 7, by placing a bold baced bracket between the word "position" and the word "six".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 435, as follows:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight nine ten eleven twelve thirteen fourteen fifteen and seventeen of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied are hereby repealed

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The provisions of this act shall apply to domestic stock and mutual insurance companies and to the officers directors and trustees of domestic stock or mutual insurance companies

Section 2 Every domestic stock and mutual insurer shall have power to comply with any statute ordinance or other law of any State territory or political subdivision thereof (including the District of Columbia) imposing any license excise privilege premium occupation or other fee or tax and to pay such fee or tax unless prior to such payment such statute ordinance or other law shall have been expressly held invalid by the State court having final appellate jurisdiction in the premises or by the Supreme Court of the United States

Section 3 No officer director or trustee of any domestic stock or mutual insurance company shall be subject to any personal liability by reason of any payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax to any State territory or political subdivision thereof (including the District of Columbia) deemed by the officers directors or trustees to be in the corporate interests of such insurer unless prior to such payment the statute ordinance or other law imposing such fee or tax shall have been expressly held invalid by the State court having final appellate jurisdiction in the premises or by the Supreme Court of the United States

Section 4 This act shall be applicable to acts done and payments made subsequent to the fifth day of June one thousand nine hundred forty-four Provided however That nothing contained herein shall be construed as directly or indirectly limiting minimizing or interpreting the rights and powers of insurers and their officers directors and trustees heretofore existing

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,

Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 509, as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars ($25,000) or as much thereof as may be necessary is hereby appropriated out of the Motor License Fund to the Department of Public Instruction for the two fiscal years commencing June first one thousand nine hundred forty-five for the purpose of promoting highway safety education through the schools in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of

such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person association partnership or corporation may give as security for any funds borrowed or to be borrowed or any pre-existing indebtedness a bond or note with or without a confession of judgment clause secured by a chattel mortgage upon any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops including annual or perennial crops and other plant products either grown or growing at the time of the execution of such chattel mortgage or to be planted or grown within one year thereafter For the purposes of this act all such chattels and crops shall be deemed to be personal property and mortgageable as such The indebtedness secured by any such chattel mortgage shall not bear interest in excess of the rate which the creditor is permitted by law to charge at the time of the execution of such mortgage

Section 2 Any mortgage executed under and pursuant to this act shall be in writing and signed witnessed and duly acknowledged by the mortgagor or his agent duly authorized and constituted The property covered or to become covered by any such cattel mortgage may be described as all that property of a specified class so identified by reference to location brands marks numbers or otherwise as to distinguish it from other property of the same class or such property may be described in any other manner permitted or authorized by law

Section 3 Any mortgage executed under and pursuant to this act may validly include any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery or farm equipment of the same class as that described in the mortgage acquired by the mortgagor subsequent to the execution of the chattel mortgage and prior to its extinguishment and any such mortgage also may validly include replacements of any of the mortgaged property therein described and all increase issue progeny and produce of animals and livestock of all kinds and the issue increase progeny and produce of any and all property mortgageable under the terms and provisions of this act including the increase issue progeny and produce of any original increase issue or progeny A mortgage of sheep or goats shall be held to include the wool or mohair which may be clipped therefrom

Section 4 Any chattel mortgage executed under and pursuant to this act may secure a pre-existing debt advances currently made or contracted for and future advances whether obligatory or optional to be made by the mortgagee within a period of five (5) years from the date of the execution of such mortgage but not to exceed in the aggregrate an amount stated in the mortgage Such a chattel mortgage may also secure advances and expenditures of the mortgagee for taxes levies insurance and repairs to or maintenance of the property described in the chattel mortgage together with interest on such advances and expenditures at the rate fixed therefor by the terms of the bond note or chattel mortgage securing same or if no rate therefor is specified at the rate provided in the mortgage for the principal indebtedness secured thereby All future advances made within the terms of such chattel mortgage shall be secured to the same extent and shall have the same priority as if made at the time of the execution of the mortgage

Section 5 Any chattel mortgage executed pursuant to this act shall be a lien upon the property therein described which lien shall be good and valid against and superior to all rights of subsequent purchasers subsequent mortgages and other subsequent lienors and encumbrancers and all persons subsequently dealing with the mortgaged property or subsequently acquiring an interest therein from the time of filing of the mortgage as provided in section eight of this act provided however that the filing as provided in section eight of this act of a chattel mortgage against any motor vehicle trailer or semi-trailer with respect to which a Certificate of Title is issuable under the Motor Vehicle Code (Act of May 1 1929 P. L. 905 as amended) shall not operate as notice of the lien thereof to the Commonwealth creditors and purchasers unless and until a statement of such lien is noted on the Certificate of Title issued with respect to such motor vehicle trailer or semi-trailer pursuant to the provisions of said Motor Vehicle Code The lien of any chattel mortgage on any chattel or chattels attached to realty including crops executed pursuant to this act shall be superior to any mortgages deeds of trust or judgments or other liens upon the realty or land upon which any such crop has been or is to be seeded or may be growing and any sale made under any mortgage deed of trust or judgment on such realty or land or otherwise before said chattels or crops have been severed shall be made subject to the lien on the chattels and crops as provided for in this act and provided further That any real estate mortgage covering the realty and chattels attached to realty shall remain a prior lien to a chattel mortgage placed subsequently thereon and a judicial sale on liens subsequent to the lien of a chattel mortgage shall not divest the lien of such chattel mortgage and the title of the purchaser at such judicial sale shall be subject to the lien of such chattel mortgage

Section 6 (a) Any of the property covered by a chattel mortgage executed pursuant to this act which may be removed without the written consent of the mortgagee from the county in which it was located at the time of the execution of the mortgage or from the county in which the mortgage is filed shall remain subject to the lien of the mortgage

(b) Any of such property which may be removed with the written consent of the mortgagee from the county in which it was located at the time of execution of the mortgage or from the county in which the mortgage is filed shall remain subject to the lien of the mortgage Provided however That the lien of any such mortgage shal remain valid as against subsequent purchasers subsequent mortgagees and other subsequent lienors and subsequent encumbrancers without actual notice of the chattel mortgage for a period of only six (6) months from the date of removal unless within such period a true copy of the mortgage is filed in the office of the prothonotary in the county to which the property is removed

(c) Any property covered by a chattel mortgage which may be sold by the mortgagor shall remain subject to the lien of the mortgage unless the mortgagee expressly consents in writing to such sale free and acquit of the mortgage lien and the consent of the mortgagee to the sale of a part of the property shall not invalidate or impair the lien of the mortgage as to other property covered by the mortgage

(d) If the mortgagor with or without the written consent of the mortgagee shall make sale of the mortgaged property or any any part thereof the proceeds realized through such sale shall be subject to the lien of said mortgage and the mortgagee at his option may enforce said lien against said chattels or against said proceeds Provided however That said mortgagee shall receive only one full satisfaction of the debt secured by said mortgage And provided further That the mortgagee in consenting in writing to sale of the mortgaged property or a part thereof may authorize and permit the mortgagor to sell such mortgaged chattels free and acquit of the mortgage lien upon condition that the proceeds of sale be paid to the mortgagee and if consent to sale is given on such terms and conditions any purchaser or grantee of said mortgaged chattels shall acquire title to said chattels free and acquit of said lien but the lien shall remain at-

tached to the proceeds realized through sale until payment thereof to the mortgagee

(e) Any chattel mortgage conveying livestock or poultry and hay grain or other foodstuffs or crops shall not be invalid in any particular because provision is contained therein or the mortgagee agrees that the mortgagor may use and consume any such hay grain food forage fodder or crops in preserving or preparing for market the livestock or poultry covered by the mortgage

Section 7 If the mortgagor without the consent of the mortgagee shall remove the chattel or chattels from the county or counties stipulated in the chattel mortgage or shall substantially injure the chattel or chattels subject to the mortgage or conceal or purport to sell or otherwise dispose of them or any substantial part of them under claim of full ownership or otherwise by his wilful act or neglect substantially impair the value of the agreed security save in so far as is consistent with a reasonable use of the chattel or chattels such action shall constitute a default under the chattel mortgage Provided however That unless otherwise stipulated in the instrument the injury or destruction of the chattel or chattels without fault of the mortgagor shall not constitute a default and such injury or destruction incurred before final sale or foreclosure shall not discharge the mortgagor for any obligation secured for which he is personally liable

Section 8 (a) Any chattel mortgage executed pursuant to this act may be filed in the office of the prothonotary for each county in which the chattels or any portion of the chattels are located at the time of filing such chattel mortgage either by filing the original thereof or filing a true copy thereof duly certified by the prothonotary of the original county and when so filed such chattel mortgage shall constitute a lien on the property described therein and conveyed thereby from the time of such filing which lien shall be good and valid as hereinbefore provided Provided however That in the case of more than one chattel mortgage the first filed shall have priority and be first paid out of the proceeds of the sale of the mortgaged chattels The prothonotary shall maintain a book to be known as the "Chattel Mortgage Book" in which he shall docket each instrument presented to him for filing pursuant to this act and in said docket he shall set forth the date and the hour of filing the name of the mortgagor the name of the mortgagee the amount advanced or to be advanced and the limit thereof and a brief description of the chattels described in the instrument and the premises upon which such chattels and crops are located and he shall retain the instrument in his office for future public inspection The prothonotary shall likewise maintain a book to be known as a "Chattel Mortgage Index" in which he shall index alphabetically under the names of the mortgagor or mortgagors and the mortgagee or mortgagees all chattel mortgages filed pursuant to this act and on which the date of filing such instrument shall be noted

(b) Any instrument affecting the lien of a chattel mortgage or its ownership may be filed in each office in which the chattel mortgage is filed and from the date of filing thereof each such instrument shall be good and valid as against subsequent purchasers subsequent mortgagees or other subsequent lienors and subsequent encumbrances with or without notice thereof and the fact and date of filing of each such instrument shall be noted by the prothonotary on the margin of the page on which the chattel mortgage is docketed

Section 9 The prothonotary shall be entitled to charge and receive for services rendered hereunder the following fees

(a) For filing indexing and docketing each chattel mortgage seventy-five cents (75c)

(b) For filing indexing and noting each assignment seventy-five cents (75c)

(c) For filing and noting each partial release satisfaction extension or subordination by written instrument twenty-five cents (25c)

(d) For attesting the entry of a marginal satisfaction and noting the satisfaction on the index twenty-five cents (25c)

(e) For indexing and attesting the entry of a marginal assignment fifty cents (50c)

(f) For a certified copy of a chattel mortgage filed hereunder the sum of twenty-five cents (25c) if a copy of the instrument is furnished at the time the same is filed

Section 10 When chattels are brought into this State subject to a chattel mortgage or other chattel lien filed or recorded in another State such chattel mortgage or other chattel lien instrument or a copy thereof certified by the officer in whose office it was filed or recorded may be filed as chattel mortgages provided for herein are filed and when so filed any such instrument shall be indexed and docketed upon an affidavit of the mortgagee setting forth a brief description of the lands and premises upon which said chattels are located in this State and upon such filing such chattel lien instrument shall have the same force and effect and be subject to all the terms and conditions of this act to the same extent and in the same manner as though executed and filed in this State pursuant to this act

Section 11 Any chattel mortgage executed under and pursuant to this act may be assigned by an instrument in writing signed by the mortgagee or assignee and setting forth the amount of the debt as of the assignment and upon presentation of such assignment to the prothonotary the prothonotary shall file the same and note on the margin of the page in which the chattel mortgage is docketed the fact of the assignment the date of the notation the name of the assignor the name of the assignee the address of each the date of the assignment and the amount of the debt as of the date of the assignment and such assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Provided however Any such chattel mortgage may be assigned by an assignment stating the amount of the debt as of the date of the assignment and executed by the mortgagee or assignee on the margin of the page where such chattel mortgage is docketed which assignment shall be attested by the prothonotary

Section 12 Any such chattel mortgage may be satisfied by an instrument in writing signed by the mortgagee or assignee and upon presentation of such instrument to the prothonotary the prothonotary shall file the same and note the fact of such satisfaction and the date thereof on the margin of the page of the book where the chattel mortgage is docketed and when so noted such satisfaction shall fully and effectually release the lien of such mortgage Provided however That any such chattel mortgage may be satisfied by the mortgagee or assignee on the margin of the page where such chattel mortgage is docketed which satisfaction shall be attested by the prothonotary Each satisfaction of a chattel mortgage lien shall be noted by the prothonotary on the line of the page on which the chattel mortgage is indexed

Section 13 Such chattel mortgages shall except between the parties thereto take effect and be valid only from the time of filing as herein provided Such mortgage shall remain a lien on the property mortgaged as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five (5) years unless the lien thereof is extended by filing prior to the expiration of the said lien with the prothonotary an affidavit of the mortgagee or his assignee stating the amount then secured by the lien in which case the said mortgage shall remain a lien for an additional period of five (5) years from the date of the filing of such affidavit The lien of any mortgage may be further extended with like effect by the filing of successive like affidavits The prothonotary shall note each extension of a chattel mortgage lien and date of filing the same on the margin of the page of the book where the chattel mortgage is docketed The prothonotary shall likewise index each such

extension in the "Chattel Mortgage Index" in the same manner as is herein provided for the indexing of chattel mortgages originally filed

Section 14 (a) Upon default in any of the terms and covenants of any chattel mortgage or bond executed in accordance with the provisions of this act the mortgagee assignee or duly authorized attorney or agent of such mortgagee or assignee shall have the right either by process of law by writ of replevin or otherwise or without process of law immediately to take possession of the mortgaged property and to do all things necessary to preserve the same and any expense incurred in conjunction therewith shall be included in and secured by the lien of said chattel mortgage and this right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or assignee

(b) In the event of the repossession of the mortgaged chattel or chattels in accordance with the provisions of this section the mortgagee may sell the said chattel or chattels at public or private sale after givving a written notice of at least ten (10) days thereof to the mortgagor by mailing same to him at his last known address Any surplus realized in excess of debt and costs shall be paid over to the mortgagor and any deficit may be collected from the mortgagor under the provisions of section fifteen hereof.

(c) The mortgagor or his assignee at any time prior to the sale of the mortgaged property shall have the right to redeem and to repossess the mortgaged property either by process of law by writ of replevin or otherwise or without process of law upon making payment to the mortgagee or his assignee of the indebtedness secured by such chattel mortgage together with interest thereon and other charges and amounts payable under the terms of the chattel mortgage or the bond or note secured by the same

Section 15 Upon default by the mortgagor in the payment of the mortgage debt either as to principal or interest or upon default in the performance of any covenant contained in the chattel mortgage or bond or note the chattel mortgage may be foreclosed by any of the methods authorized by law for the foreclosure of a mortgage including the entry of judgment on the bond or note secured by the chattel mortgage The lien of any levy which may be made upon the mortgaged property by virtue of any execution based upon a judgment entered upon such bond or note shall relate back to the date of the filing of the chattel mortgage In such foreclosure proceedings the mortgaged chattels may be sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 16 Any person who without the written consent of the mortgagee or his assignee shall wilfully sell any property mortgaged by him or his predecessor in title in conformity with the provisions of this act either before or after the debt is due and before the debt is paid or shall wilfully injure destroy conceal or without notice to the mortgagee abandon or shall wilfully deface any marks identifying any such mortgaged property shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment not exceeding one year or to pay a fine of double the value of the personal property so sold injured destroyed defaced concealed or abandoned or either or both at the discretion of the court

Section 17 This act shall not be construed to adversely affect or impair the lien of or rights under any existing chattel mortgage nor shall this act be construed to repeal or affect any act relating to chattel mortgages not herein expressly repealed

Section 18 The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 343) entitled "An act relating to chattel mortgages on livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" is hereby repealed

Section 18 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Henninan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 618, as follows:

An Act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Professional Engineers Registration Law"

Section 2 Definitions As used in this act

(a) "Practice of Engineering" means the practice of the profession which engages in the application of mathematics and the physical sciences and in the utilization of the forces energies and materials of nature and in the measurement and delineation of the earth's surface for the development production and functioning of engineering processes apparatus machines equipment facilities structures works or utilities or any combinations or aggregations thereof employed in or devoted to private enterprises or uses Such practice includes consultation investigation research surveys planning designing direction supervision and such other services or acts as are a necessary part of such practice The term "practice of engineering" comprehends the practice of civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying or any constituent part or parts of these or combination thereof such as architectural engineering ceramic engineering industrial engineering metallurgical engineering petroleum and natural gas engineering sanitary engineering and structural engineering the pursuit of any of which affect life health or property or the public welfare Said practice also includes the doing of such architectural work as is incidental to the practice of engineering

(b) "Engineer-in-Training" means a candidate for licensure as a professional engineer who has been granted a certificate as an engineer-in- training by reason of graduation from an approved institution or college or after successfully passing the prescribed written examination in fundamental engineering subjects and who shall be eligible upon the completion of the requisite years of experience in engineering under the supervision of a professional engineer or similarly qualified engineer for the final examination prescribed for licensure as a professional engineer

(c) "Practice of Surveying" means the practice of that branch of the profession of engineering which makes surveys for the determination of area and for the establishment or reestablishment of land boundaries and the subdivision and plotting of land and who makes surveys for the establishment of lines grades or elevations for carrying out engineering work and who in connection therewith determines quantities of materials and prepares plans or specifications for minor work not involving safety to life or health and who determines quantities or who makes estimates for proposed work or for work under construction or work that is completed or who in addition to the foregoing makes estimates of quantities of mineral or minerals in place or that have been removed

(d) "Professional Engineer" means an individual licensed and registered under the laws of this Commonwealth to engage in the practice of engineering

(e) "Surveyor" means an individual licensed and registered under the laws of this Commonwealth to engage in the practice of surveying A surveyor may not practice any other branch of engineering

(f) "Board" means The State Registration Board for Professional Engineers

(g) "Department" means the Department of Public Instruction

(h) "Responsible Charge" means such degree of competence and accountability gained by technical education and experience of a grade and character as is sufficient to qualify an individual to personally and independently engage in and be entrusted with the work involved in the practice of engineering or surveying

Section 3 Practice of Engineering or Surveying Without Licensure and Registration Prohibited In order to safeguard life health or property and to promote the general welfare it is unlawful for any person to engage or to offer to engage in the practice of engineering in this Commonwealth unless he is licensed and registered under the laws of this Commonwealth as a professional engineer or for any person to engage or to offer to engage in the practice of surveying unless he is licensed and registered under the laws of this Commonwealth as a surveyor or as a professional engineer It is unlawful for any person to use in connection with his name or to otherwise assume use or advertise any title or description tending to convey the impression that he is a professional engineer or a surveyor or that he is engaged in the practice of engineering or surveying unless such person is licensed and registered with the board

Section 4 General Powers of Board The Board shall have power

(a) Approval of Institutions and Colleges To investigate and to approve or disapprove institutions and colleges of this state and other states territories and countries for the education of students desiring to be licensed to engage in the practice of engineering and to revoke or suspend approvals where such institutions and colleges no longer are deemed proper

(b) Licensing Professional Engineers To provide for and to regulate the licensing and to license to engage in the practice of engineering any person of good character and repute who is a citizen of the United States or has declared his intention of becoming a citizen thereof at least twenty-five years of age and who speaks and writes the English language if such person either

(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state in which the requirements and qualifications to engage in the practice of engineering are at least equal to the standards of this Commonwealth Provided however That such other state or territory shall similarly license or register professional engineers licensed and registered in this Commonwealth A person may be licensed under this subdivision without examination

(2) Holds a certificate of qualifications issued by the National Bureau of Engineering Registration of the National Council of State Boards of Engineering Examiners Provided the requirements and qualifications of said bodies to engage in the practice of engineering are at least equal to the standards of this Commonwealth A person may be licensed under this subdivision without examination

In carrying into effect clauses (1) and (2) of subdivision (b) of this section the board may in its discretion enter into agreements for reciprocity with the National Council of State Boards of Engineering Examiners and with states under such rules and regulations as the board may prescribe

(3) Has had four or more years' experience in engineering work under the supervision of a professional engineer or a similarly qualified engineer of a grade or character to fit him to assume responsible charge of the work involved in the practice of engineering and is either an engineer-in-training or a graduate in engineering of

an approved institution or college having a course in engineering of four or more years or has had ten years of experience in engineering work seven years of which shall have been in teaching or study in an approved institution or college and three years of which shall have been active experience in enginering work under the supervision of a professional engineer or a similarly qualified engineer of a grade or character to fit him to assume responsible charge of the work involved in the practice of engineering and who is a graduate of an approved institution or college having a course in engineering of four or more years and who in either event successfully passes a written examination prescribed by the board in engineering subjects In the case of the examination of an engineer-in-training his examination shall be directed and limited to those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering In the case of an applicant who is not an engineering-in-training the examination shall be for the purpose of testing the applicant's knowledge of fundamental engineering subjects including mathematics and the physical sciences and those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering

(4) Has had twelve or more years of active experience in engineering work at least eight years of which shall have been under the supervision of a professional engineer or similarly qualified engineer of a grade and character to fit him to assume responsible charge of the work involved in the practice of engineering and who successfully passes a written examination prescribed by the board for the purpose of testing the applicant's knowledge of fundamental engineering subjects including mathematics and the physical sciences and those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering

(c) Examination and Certification of Engineers-in-Training To provide for and to regulate the examination of any person who has had four or more years' experience in engineering work and who produces satisfactory evidence to show knowledge skill and education approximating that attained through graduation from an approved institution or college and to issue to any such person who successfully passes such examination a certificate showing that he has successfully passed this portion of the professional examination and is recognized as an engineer-in-training The examination of applicants as engineers-in-training shall be designed to permit an applicant for licensure as a professional engineer to take his examination in two stages The examination for certification as an engineer-in-training shall be for the purpose of testing the applicant's knowledge of fundamental engineering subjects including mathematics and the physical sciences Satisfactory passing of this portion of the examination shall constitute a credit for the life of the applicant or until he is licensed under this act as a professional engineer

Any person who is a graduate in engineering from an approved institution or college having a course of four years or more in engineering shall be granted a certificate as an engineer-in-training without examination

(d) Licensing of Surveyors To provide for and to regulate the licensing and to license to engage in the practice of surveying any person of good character and repute who is a citizen of the Unites States or has declared his intention of becoming a citizen thereof at least twenty-one years of age and who speaks and writes the English language if such person

(1) Has graduated in engineering from an approved institution or college having an engineering course of not less than four years and has had two or more years experience in surveying under the supervision of a professional engineer or surveyor of a character indicating that the applicant is competent to assume responsible charge of the practice of surveying A person may be licensed under this subdivision without examination

(2) Has had six or more years' active experience in surveying work under the supervision of a professional engineer or surveyor of a character indicating that the applicant is competent to assume responsible charge of the work involved in the practice of surveying and who successfully passes a written examination prescribed by the board in surveying subjects

(e) Investigations of Applicants Determination of Competency of Applicants To investigate the allegations contained in any application for licensure or certification under this act in order to determine the truth of such allegations and to determine the competency of any person applying for licensure to assume responsible charge of the work involved in the practice of engineering or surveying such competency to be determined by the grade and character of the engineering work or the grade and character of the surveying work actually performed The mere execution as a contractor of work designed by a professional engineer or the supervision of the construction of such work as a foreman or superintendent or the operation or maintenance of machinery or equipment or work performed as a salesman of engineering equipment or apparatus shall not be deemed to be active practice in engineering unless such work has involved the actual practice of engineering Engineering and surveying work performed under the supervision of a professional engineer or surveyor shall be given full credit Whenever the board determines otherwise than by examination that an applicant has not produced sufficient evidence to show that he is competent to be placed in responsible charge and shall refuse to examine or to license such applicant it shall set forth in writing its findings and the reasons for its conclusions and furnish a copy thereof to the applicant

(f) Examinations Fees To prescribe the subjects manner time and place of examination for licenses as professional engineers and surveyors and for certificates for engineers-in-training and the filing of applications for such examinations and to conduct and provide for the conduct of such examinations to make written reports of such examinations which reports shall be preserved for a period of not less than three years to collect such fees for such examinations and for licenses and certificates issued without examination as may be fixed according to law and to issue licenses and certificates to such persons as successfully pass such examinations

(g) Annual Registrations Fees To provide for regulate and require all persons licensed in accordance with the provisions of this act and all persons licensed and registered under prior laws of this Commonwealth relating to the licensing of professional engineers and surveyors to register annually with the board to prescribe the form of such registration and the payment of such annual registration fee as shall be fixed according to law to issue annual registration to such persons and to suspend or revoke the license or registration of such persons as fail refuse or neglect to so register or pay such fee within such time as the board shall prescribe by its rules and regulations and to reinstate licenses and registrations of persons who shall thereafter pay such registration fees in accordance with the rules and regulations of the board

(h) Roster of Registrants To keep a roster showing the names and addresses of the places of business of all professional engineers and surveyors licensed under this act and under prior laws and registered by the board which roster shall be published in booklet form by the board at least once every two years Copies of the roster shall be mailed to each registered person and be furnished to other persons upon request

(i) Suspension and Revocation of Licenses Registrations and Certificates Reinstatements To suspend or revoke the license and registration of any professional engineer or surveyor or the certificate of any engineer-in-training who is found guilty by the board by a majority vote of all its members of the practice of any fraud deceit or misrepresentation in obtaining his license certification or registration or of gross negligence incompetency or misconduct in the practice of engineering or in the practice of sur-

veying or of violation of the code of ethics of the engineering profession and to reinstate licenses registrations and certificates in any cases where a majority of all the members of the board shall determine the same to be just and proper

(j) Financial Requirements of Board To submit biennially to the department an estimate of the financial requirements of the board for administrative investigative legal and miscellaneous expenses

(k) Administration and Enforcement of Laws To administer and enforce the laws of the Commonwealth relating to the practice of engineering and surveying and to instruct and require its agents to bring prosecutions for unauthorized and unlawful practices

(l) Minutes and Records To keep minutes and records of all its transactions and proceedings Copies thereof duly certified by the Secretary of the board shall be received in evidence in all courts and elsewhere

(m) Member of National Council of State Boards of Engineering Examiners Dues To become a member of the National Council of State Boards of Engineering Examiners and to pay such dues as said council shall establish and to send a delegate to the annual meeting of said council and to defray his expenses

(n) Administrative Rules and Regulations To adopt promulgate and enforce such administrative rules and regulations not inconsistent with this act as are deemed necessary and proper by the board to carry into effect the powers conferred by this act

Section 5 Exemption from Licensure and Registration This act shall not be construed to require licensure and registration in the following cases

(a) The practice of engineering or surveying by any person who acts under the supervision of a professional engineer or surveyor or by an employe of a person lawfully engaged in the practice of engineering or surveying and who in either event does not assume responsible charge of design or supervisions

(b) The practice of engineering or surveying not exceeding thirty days in the aggregate in one calendar year by a nonresident not having a place of business in this Commonwealth if such person is legally qualified to engage in the practice of engineering or surveying in the state or territory of his residence Provided That standards of such state or territory are at least equal to the standards of this Commonwealth

(c) The practice of engineering or surveying by officers and employes of the United States Government for the said government

(d) The practice of engineering or surveying by a regular employe of a public utility company as defined by the Pennsylvania Public Utility Law in connection with the facilities of such public utility which are subject to regulation by the Pennsylvania Public Utility Commission Provided That such public utility shall employ at least one professional engineer who shall be in responsible charge of such utility's engineering work

(e) The practice of architecture by a duly registered architect and the doing of such engineering work as is incidental to his architectural work

(f) The practice of engineering or land surveying by any person or by any employe of any copartnership association or corporation upon property owned by such person or such copartnership association or corporation unless such practice affects the public safety or health or the property of some other person

Section 6 Practice by Firms and Corporations The practice of engineering and of surveying being the function of an individual or of individuals working in concerted effort it shall be unlawful for any firm or corporation to engage in such practice or to offer to practice or to assume use or advertise any title or description conveying the impression that such firm or corporation is engaged in or is offering to practice such profession unless the directing heads and employes of such firm or corporation in responsible charge of its activities in the practice of such profession are licensed and registered in conformity with the requirements of this act and whose name and seal shall be stamped on all plans specification plates and reports issued by such firm or corporation

Section 7 Seal of Registrants Each person registered under this act shall obtain a seal of a design authorized by the board which shall bear the registrant's name and number and the legend "Registered Professional Engineer" or "Registered Surveyor" Such seal or a facsimile imprint of same shall be stamped on all plans specifications plates and reports issued by a professional engineer or surveyor

It shall be unlawful for any person to use such seal during the period the license or registration of the holder thereof has been suspended or revoked or to use a seal of any design not approved by the board

Section 8 Procedure for the Suspension and Revocation Licenses and Registrations Appeals Before the license of any licenses or any registration or any certification is suspended or revoked by the board a written copy of the complaint made shall be furnished to the licensee registrant or person against whom the same is directed and an opportunity be afforded him to be heard before the board personally and by counsel At least ten days' written notice of the time and place of such hearing shall be given the registrant or person by registered mail addressed to the post office address as shown on the annual registration or other record or information in possesion of the board

Any person aggrieved by the action of the board in suspending or revoking a license registration or certification or by any other action of the board which is alleged to be improper unreasonable or unlawful may appeal from such action of the board in writing to the Court of Common Pleas of Dauphin County

Appeals from suspensions and revocations of licenses registrations and certifications must be taken within thirty days after such suspension or revocation of which action immediate notice shall be given by the board to the licensee registrant or person by registered mail addressed as above provided In the case of appeals from other actions of the board the appeal may be taken at any time by the person aggrieved by such action No such appeal shall act as supersedeas unless specially allowed by the court

Appeals shall be taken by serving upon the board written notice of such appeal together with reasons for such appeal Such service shall be made by filing the said notice of appeal in the office of the board

Within thirty days after the service of such notice of appeal the board shall file with the prothonotary of the said court of common pleas a transcript of the record of the proceedings Notice of the filing of said transcript with the term and number to which filed shall be forthwith given by the board to the appellant and as well to the party or parties if any upon whose complaint the proceedings before the board were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for the certification shall be entered as part of the record costs in the cause to be paid as the court may direct

The court upon application by the board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard by the judge or judges of the court without a jury The court shall affirm the decision of the board unless it shall find the same is in violation of the constitutional rights of the appellant or is not in accordance with law or was made upon unlawful procedure or that any finding of fact made by the board and necessary to support its adjudication is not supported by substantial evidence If the adjudication of the board is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the board for further disposition in accordance with the order of court

Either party may appeal from the decision of the Court of Common Pleas of Dauphin County to the Superior Court Such appeals shall be taken and prosecuted in the same manner and with like effect as is pro-

vided by law in other cases of appeal to the Superior Court and the records certified to the Superior Court shall contain all that was before the court of common pleas The decree of the Superior Court shall be final and conclusive

Section 9 Fees The fee for an applicant for licensure as a professional engineer or surveyor including examination and for examination or certification or both as an engineer-in-training and for annual registrations as in this act required shall be fixed by the department in accordance with existing law All fees collected under the provisions of this act shall be received by the department and shall be paid into the state treasury through the Department of Revenue for the use of the general fund of the Commonwealth

Section 10 Status of Existing of Licensees and Registrants Preserved Any person licensed or legally authorized to practice as a professional engineer or surveyor in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of engineering or surveying without being required to be licensed anew under the provisions of this act subject however to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in this act and subject to the power of the board to require any such person to register annually with the board as provided in this act

Section 11 Penalties Whoever shall engage in the practice of enginereing or the practice of surveying without being licensed and registered as required by this act or exempted therefrom as provided in this act or shall present or attempt to use as his own the license or certificate of registration of another or shall give any false or forged evidence of any kind to the board or to any member thereof in order to obtain a license or registration as a professional engineer or surveyor or a certificate as an engineer-in-training or shall use any expired suspended or revoked certificate of registration or shall otherwise violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or suffer imprisonment not exceeding three months or both

Section 12 Repeal The act approved the sixth day of May one thousand nine hundred and twenty-seven (P. L. 820) is hereby repealed except that said act shall not be repealed insofar as applications for licensure shall be made thereunder by honorably discharged members of the armed forces of the United States and for such purposes the said act shall remain in full force and effect until two years after proclamation by the President of the United States that hostilities in all wars in which the United States is now engaged have ceased

Section 13 Effective Date This act shall become effective June thirtieth one thousand nine hundred and forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Deunison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 614, as follows:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home

and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) is hereby amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act Stock companies [heretofore organized] incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (P. L. 329) entitled "An act to provid for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. 317) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies reincorporated under the provisions of this act" or under the act of June twenty-fourth one thousand nine hundred thirty-nine (P. L. 686) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may issue policies" having a paid up capital of not less than three hundred thousand dollars ($300,000) and a paid-in surplus at least equal to fifty per centum of the subscribed capital may issue policies insuring the lives of persons and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constiution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 702, as follows:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application on the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No individual or individuals shall hereafter carry on or conduct any business in this Commonwealth under any assumed or fictitious name style or designation unless the person or persons conducting or carrying on the same shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary in the county where the principal place of business is located to be entered in a book provided for

that purpose or to be entered or recorded by microfilming or other photographic process an application under oath and signed by such person or persons setting forth the real name or names and the residences including number and street if any of all the persons owning or interested in said business the name style or designation under which said business is being or will be carried on or conducted a brief statement concerning the character or nature of said business and the location of the principal office or place of business including number and street if any

Section 2 Where all of the owners of said business live outside the Commonwealth of Pennsylvania and desire to carry on or conduct any such business within the Commonwealth then such business shall be conducted through a resident agent such application shall also show the name and residence address including number and street if any of such agent

Section 3 Before any such application shall be filed in the office of the Secretary of the Commonwealth or in the office of the prothonotary of the county aforesaid notice of intention so to file the same shall be given by publication once in a newspaper of general circulation published in the political subdivision of said county wherein the principal office or place of business is located (or if no newspaper is there published then in a newspaper of general circulation published in the county) and also in the legal newspaper if any published in said county Such advertisement shall set forth notice of intention to register in the office of the Secretary of the Commonwealth and in the office of the prothonotary of the said county and the date when such application will be filed the name or names and residence address or addresses including number and street if any of all persons owning or interested in said business the name style or designation under which said business is being or will be carried on or conducted and the location of its principal place of business including number and street if any Proofs of publication of such notice shall be submitted with such application to the Secretary of the Commonwealth and to the office of the prothonotary Upon the filing of said application with proofs of publication and payment of the proper fees the Secretary of the Commonwealth shall forthwith issue a Certificate of Registration

Section 4 The failure of any such person or persons to file the applications aforesaid in the office of the Secretary of the Commonwealth or in the office of the prothonotary shall not impair or affect the validity of any contract with such person or persons and actions or proceedings at law or in equity may be instituted and maintained on any such contract but no such action shall be instituted or recovery had by any such persons on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such person or persons comply with the provisions of this act And provided further Before any such person or persons may institute any action in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof on any cause of action arising prior to the filing of the application provided for in this section such person or persons shall pay to the Secretary of the Commonwealth for the use of the Commonwealth a license fee or fine of twenty-five ($25.00) dollars This act shall apply to all actions pending at the date of the passage of this act Provided That the plaintiff in any such suit shall pay all costs accrued prior to compliance with the provisions of this act Provided That this act shall not apply to any cases adjudicated at the date of the passage of this act

Section 5 A certification by the Secretary of the Commonwealth under the great seal of the Commonwealth showing the filing of the application or statements and the payment of fees and fines or the failure to file such application and statements or to pay the fees and fines as provided for and required by this act shall be competent and legal evidence and shall be admitted in evidence in any judicial proceedings in any court where the same may be material

Section 6 The book or other means of reproduction hereinbefore required to be kept by the prothonotary shall be provided by the county commissioners at the expense of the respective counties The fees of the prothonotary and the Secretary of the Commonwealth for the entry or reproduction of such application shall be the same as now provided by law for similar services

Section 7 Any person or persons conducting or carrying on any business in this Commonwealth who in compliance with the provisions of this act have or may hereafter file an application as herein provided in the office of the Secretary of the Commonwealth and in the office of the prothonotary shall upon the dissolution of any such business or upon his or their withdrawal from such business file a statement of cancellation or withdrawal as the case may be and shall thereupon have the right to require the Secretary of the Commonwealth and the prothonotary in whose office such application was filed to cancel such application if the business has been dissolved or to make a notation on the margin of the book in which such application was entered to the effect that he or they are no longer connected with or interested in such business if he or they have withdrawn from the business provided however that if the entry or recording of such application be by microfilming or other photographic process then the statement of cancellation or withdrawal shall be entered or recorded in like manner as a separate instrument The Secretary of the Commonwealth shall forthwith issue a Certificate of Cancellation or Withdrawal

Section 8 The Statements of Cancellation or Withdrawal required to be filed by this act shall be under oath signed by such person or persons and shall set forth that such business has been dissolved or that such person or persons (giving the name or names and addresses) have withdrawn therefrom that the business no longer exists or that the person or persons desiring the notation or the entry or recording to be made are no longer connected with or interested in the business the date when such business was dissolved or when such person or persons withdrew therefrom and a request that the application be cancelled or that the notation or entry or recording as aforesaid be made Thereupon it shall be the duty of the Secretary of the Commonwealth and the prothonotary upon the payment of the same fee as charged for the entry of the application to cancel such application or to make the notation as requested or to enter or record the filing of the same as heretofore provided

Section 9 In case a State of Cancellation required under this act is not filed then upon satisfactory determination by the Secretary of the Commonwealth that such assumed or fictitious name style or designation has ceased to be used in the business operations of the registrants he may at any time subsequent to ten (10) days written notice to the last address of record revoke or cancel the certificate filed under the provisions of section one (1) of the act

Section 10 All applications for registration of assumed or fictitious names Statements of Cancellation or Withdrawal henceforth or heretofore filed shall after entry or recording by microfilming or other photographic process be retained by the Secretary of the Commonwealth for a period of one year from the date of registration and may thereafter be destroyed together with proofs of publication upon the approval of the Executive Board

Section 11 If any application or statement provided for by this act shall be in any respect false any person signing or swearing to the same shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year or both in the discretion of the court

Section 12 Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor

and upon conviction shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year or both in the discretion of the court

Section 13 Information against any person or persons violating any of these provisions of this act may be made before any Justice of the Peace magistrate or alderman by any aggrieved citizen of the Commonwealth by the Attorney General thereof or by the District Attorney of the county in which the offense was committed

Section 14 This act shall become effective immediately upon final enactment

Section 15 The following acts are hereby specifically repealed

The act approved the twenty-eighth day of June one thousand nine hundred seventeen (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties"

The act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 542) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" permitting the cancellation of such certificate or an entry to be made on the margin of the book in which such certificate was entered showing who have withdrawn from the business providing a method therefor and prescribing a penalty"

The act approved the tenth day of May one thousand nine hundred twenty-one (P. L. 465) entitled "An act to amend section one of an act entitled 'An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties' approved the twenty-eighth day of June one thousand nine hundred and seventeen (P. L. page 645)"

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 979) entitled "An act to amend section one of the act approved the twenty-eight day of June one thousand nine hundred and seventeen (P. L. 645) entitled 'An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fee of the Secretary of the Commonwealth and prothonotary and providing penalties' authorizing the Secretary of the Commonwealth to grant certificates to be received in evidence"

The act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 781) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by requiring notice of intention to file such certificates to be given by advertisement and the filing of proofs of such publication"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madden,	Riley,
Barton,	Gardner,	Madigan,	Robertson,
Baumunk,	Getchey,	Mahany,	Root,
Bentzel,	Gibson,	Matthews,	Rose,
Bonawitz,	Goodling,	McAtee,	Royer,
Boney,	Gore,	McClester,	Rudisill,
Boorse,	Grant,	McCormack,	Salus,
Boory,	Green,	McDowell,	Scanlon,
Bower,	Greenwood,	McKinney,	Schuster,
Brancato,	Greer,	McLanahan,	Serrill,
Breisch,	Guthrie,	McMillen,	Shaffer,
Brice,	Gyger,	McNair,	Shoemaker,
Brothers,	Haberlen,	McNally,	Sloan,
Brown,	Hall,	Mihm,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Snyder,
Burns,	Haudenshield,	Milliken,	Sollenberger,
Cadwalader,	Heatherington,	Mills,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Ross,
Frost,			Speaker.

NAYS—1

Modell,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 769, as follows:

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four and five of the act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" are hereby amended to read as follows

Section 3 An employe who does not elect to pay into the School Employes' Retirement Fund during the period of his active military service an amount equal to his salary deductions may during the period of such active military service and for a further period of [forty (40) days] one (1) year after completion of such military service pay into the School Employes' Retirement Fund an amount which shall be equal to the salary deductions multiplied by the number of the semi-monthly periods during which he or she was absent from State employment or State service in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the employe and the board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

Section 4 An employe who complies with the provisions of section two or section three of this act shall after such election be classified by the board as an employe in active military service and shall thereafter during such active military service and for a period of [forty (40) days] one (1) year after the completion of such active military service be entitled to all benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such employe continued to be in the actual employ and service of the Commonwealth of Pennsylvania at the salary such employe had been receiving on the date of his or her entry into active military service [Provided however That such employe shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the Superintendent of Public Instruction shall certify such member as an employe with active military service

Section 5 An employe who does not file with the board an election to pay his salary deductions into the School Employes' Retirement Fund as provided in section two of this act shall be classified as a nonpaying member in active military service of the School Employes' Retirement Association until he shall return to the actual employ and service of the Commonwealth or until such member complies with section three of this act in the manner provided or for the period of such active military service and for [forty (40) days] one (1) year after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled on the date of entry into active military service under any law of the Commonwealth of Pennsylvania relating to the School Employes' Retirement Association and the School Employes' Retirement Fund [Provided however That such member shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided] If such member returns to the actual employ and service of the Commonwealth within a period of [forty (40) days] one (1) year after such active military service the Superintendent of Public Instruction shall certify such member as an employe with active military service

Section 2 Sections six seven eight nine and ten of said act are hereby repealed

Section 3 Clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) as added by the act approved the first day of August one thousand nine hundred forty-one (P. L. 708) is hereby repealed

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,

Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiew	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 784, as follows:

An Act to further amend Section 320 of an Act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 320 of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances Every county employee who has reached the age of sixty years or upwards and who shall have been a county employee during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance as herein provided for The time spent in the employ as a county employee need not necessarily have been continuous Provided That when any employee has had twenty or more years of service not necessarily continuous and has reached the age of fifty years and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall thereafter receive during life a retirement allowance as herein provided for

A county employee who became such through the consolidation of a city institution district with a county institution district may have the period of his employment credited as county employment for all purposes under this act provided that the said employee shall pay into the retirement fund the amount which he would have been required to pay into the said fund if he had been a county employee from the date of his original employment with the city and further provided that the city by which the said employee was formerly employed shall pay into the retirement fund an amount equal to that paid into the said fund by the said employee under the provisions of this act If such employee leaves the county employ at any time withdraws his contribution to the retirement fund as this act provides the city shall also have the right to withdraw its contribution and if such employee returns to the county employ and returns the amount withdrawn from the retirement fund plus interest as this act provides the city shall also return the amount withdrawn by it plus interest at the same rate Any city is hereby authorized and empowered to make an appropriation out of the funds of the city to the retirement fund as herein provided

Section 2 This act shall become effective immediately upon final enactment and the rights granted hereunder shall expire unless exercised within one year after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,

Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 771, as follows:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "soldier" as used in this act shall be construed to mean a person who served in the armed forces of the United States or in any women's organization officially connected therewith during any war in which the United States engaged and who has an honorable discharge from such service

Section 2 When any soldier shall take any civil service appointment or promotional examination for a public position under the Commonwealth or under any political subdivision thereof he shall be given credit in the manner hereinafter provided for the discipline and experience represented by his military training and for the loyalty and public spirit demonstrated by his service for the preservation of his country

Section 3 Whenever any soldier shall successfully pass a civil service appointment or promotional examination for a public position under the Commonwealth or any political subdivision thereof and shall thus establish that he possesses the qualifications required by law for appointment to or promotion in such public position such soldier's examination shall be marked or graded an additional ten points above the mark or grade credited for the examination and the total mark or grade thus obtained shall represent the final mark or grade of such soldier and shall determine his standing on any eligible or promotional list certified or furnished to the appointing or promoting power

Section 4 Whenever any soldier possesses the requisite qualifications and is eligible to appointment to or promotion in a public position where no such civil service examination is required the appointing power in making an appointment or promotion to a public position shall give preference to such soldier

Whenever any soldier possesses the requisite qualifications and his name appears on any eligible or promotional list certified or furnished as the result of any such civil service examination the appointing or promoting power in making an appointment or promotion to a public position shall give preference to such soldier notwithstanding that his name does not stand highest on the eligible or promotional list

In making an appointment or promotion to public office where such a civil service examination is required the appointing or promotional power may give preference to any soldier who has passed the required examination for appointment or promotion to such position and possesses the requisite qualifications although his name does not appear on the eligible or promotional list certified or furnished to the appointing or promoting power

Section 5 The lack of academic or scholastic training or experience age loss of limb or other physical impairment which does not in fact incapacitate any such soldier shall not be deemed to disqualify him provided he possesses the other requisite qualifications to satisfactorily perform all of the duties which the position requires

Section 6 Whenever the Commonwealth issues specifications for the construction alteration or repair of any public works such specifications shall include a provision under which the contractors and subcontractors shall agree to give a preferential rating similar to that given by this Commonwealth as herein provided to any soldier making application for employment upon such public works

Section 7 The same preferential rating given to soldiers under the provisions of this act shall be extended to include the widows and wives of disabled soldiers

Section 8 This act shall be construed as being the exclusive law applying to the Commonwealth and its political subdivisions in giving preference to soldiers in appointment or promotion to public position or on public works

Section 9 The act approved the twelfth day of April one thousand nine hundred thirty-nine (P. L. 27) entitled "An act to amend the title and the act approved the nineteenth day of May one thousand eight hundred and eighty-seven (P. L. 132) entitled 'An act to give preference of appointment or employment to honorably discharged soldiers sailors and marines who fought for the Union cause in the late war of the rebellion' by extending the same preference to veterans and nurses of any war in which the United States has engaged" and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1198) entitled "An act providing for and requiring in certain cases preference in appointments to public position for honorably discharged persons who served in the military or naval service during any war in which the United States was engaged" and the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 872) entitled "An act providing for and requiring in certain cases preference in appointment to public position for honorably discharged persons who served in the military or naval service during any war in which the United States was engaged" and all other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.	Hare,	Milliken,	Snyder,

Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolanklewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act to further amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2140) is hereby further amended to read as follows

Section 5 No carbonated beverages or still drinks shall be made except from syrup containing pure honey or pure defined can or beet sugar or pure defined dextrose and pure flavoring materials with or without added fruit acids and with or without added color Such carbonated beverages or still drinks shall contain not less than eight per centum sugars by weight The provisions of this section with respect to the amount of sugars required shall not apply to ginger ale or to nonalcoholic fruit juices This section does not prohibit the use of caramel colors or any other harmless ingredient and nothing but harmless certified approved artificial coal tar dye products and colors shall be used Provided That no color shall be used in orangeade or orange drinks which may tend the Secretary of Agriculture may adopt and issue rules and regulations governing the use of color in orangeade or orange drinks where any such beverage is likely to mislead the public by imitating or simulating the appearance of the natural juice of the orange

All carbonated beverages or still drinks shall be deemed to be adulterated which are not in compliance with the provisions of this section or which contain any of the ingredients prohibited by section three of the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 15) entitled "An act relating to nonalcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" or which contain hydrogen peroxide or peroxides or perborates or benzoate of soda or benzoates or any other substance deleterious to health Provided That carbonated beverages and still drinks may contain not in excess of one-tenth (1/10) of one per centum of benzoate of soda or benzoates provided the bottles or other containers are labeled or in the case of bulk drinks suitable display cards are printed to show that the said drinks contain not in excess of one-tenth (1/10) of one per centum of benzoate or benzoates

The Secretary of Agriculture is hereby authorized to adopt and issue rules and regulations for the proper enforcement of this act and for the protection of the public health

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,

Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 116, as follows:

An Act to further amend sections one eleven and twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and imposing further powers and duties upon the retirement board prescribing the rights and liabilities of withdrawing contributers and of disability annuitants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 839) is heremy further amended to read as follows

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

18 "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act to the credit of the annuity savings account together with the regular interest credited thereon [.] to the date of the termination of the contributor's State services The accumulated deductions left by former employes or contributors with the fund to their credit whose state employment has heretofore been terminated shall no longer bear interest after the effective date of this act

20 "State Annuity" shall mean payments [for life] derived from contributions made by the Commonwealth of Pennsylvania as provided in this act

21 "Members' Annuity" shall mean payments [for life] derived from contributions made by the contributor as provided in this act

Section 2 Section eleven of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683 is hereby further amended to read as follows

Section 11 (1) Should a contributor before reaching superannuation retirement age by resignation or dismissal or for any other reason than death or retirement upon disability under section twelve or for superannuation under section thirteen cease to be a State employe he or she shall be paid [on demand] from the fund created by this act (a) the full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account as of the termination of such service or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity beginning at superannuation retirement age which shall be the actuarial equivalent of said accumulated deductions His or her membership in the retirement association shall thereupon cease

Section 3 Section twelve of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 12 Retirement upon disability shall be made and discontinued as follows

(1) Upon the application of a contributor or of one acting in his or her behalf or upon the application of the head of his department the retirement board [shall] may retire said contributor on a disability allowance if he or she is under the superannuation retirement age and on a superannuation allowance if he or she has attained or passed such age Provided The physician or physicians designated by the retirement board after a medical examination of said contributor made at the place of residence of such contributor or at a place mutually agreed upon shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired And provided that the retirement board concur in such report And provided further That said contributor has had five or more years of service as a member

(2) Once each [year] six months and at such other times as may be deemed necessary the retirement board [may] shall require any disability annuitant [while still under the superannuation retirement age] to undergo

medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty or that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the [amount of the State annuity] disability retirement allowance shall be discontinued or reduced to an amount that shall not be in excess of the amount by which the amount of last years salary of the beneficiary as a State employe exceeds his present earning capacity

(a) Each three months it shall be the duty of any disability annuitant to furnish a written statement of all earnings from his business occupation or profession from whatever source derived and information showing whether or not he is able to engage in a gainful occupation and such other information as may be required by the retirement board On failure neglect or refusal to furnish such information for the period of the preceding three months the retirement board may refuse to make further disability retirement allowance payments to the disability annuitant until he has furnished such information to the satisfaction of the retirement board and should such refusal continue for six months all his rights in or to the disability retirement allowance constituted by this act shall be forfeited

(3) Should any disability annuitant while under the superannuation retirement age refuse to submit to at least one medical examination in any [year] six months period by a physician or physicians designated by the retirement board his or her State annuity shall be discontinued until the withdrawal of such refusal and should such refusal continue for [one year] a period of six months all his or her rights in and to the State annuity constituted by this act shall be forfeited

(4) Upon the application of any beneficiary under the superannuation retirement age drawing a disability retirement allowance under the provisions of this act said beneficiary may be restored to active service by the head of the department in which he or she served at the time of his or her retirement Upon the restoration of a beneficiary to active service his or her retirement allowance shall cease and he or she shall resume membership in the retirement association

(5) On retirement for disability a contributor shall receive a retirement allowance which shall consist of

(a) A member's annuity which shall be the actuarial equivalent of his or accumulated deductions and

(b) A State annuity which together with the member's annuity shall be sufficient to produce a retirement allowance of one-ninetieth (1/90) of his or her final salary multiplied by the number of his or her years of service but in any case not less than thirty per centum of said final salary unless said thirty per centum shall exceed eighth-ninths of the rate of retirement allowance to which the member might have been entitled had retirement been deferred until the superannuation retirement age when the State annuity granted shall be such exceed eight-ninths of the rate of retirement allowance equal to eight-ninths of the rate of allowance to which the member might have been entitled had retirement been deferred until the superannuation retirement age

Where a member deferred taking membership and has not completed his back payments at the time of disability retirement then the State annuity shall be the amount to which the member would have been entitled had the back payments been completed at the time of becoming a member

Should a disability annuitant die before the total allowance received for disability shall be at least equal to the amount of his or her accumulated deductions at the time of disability retirement then the board shall pay to the named beneficiary or to the annuitant's estate an amount equal to the difference between the allowance received and the annuitant's accumulated deductions and if such amount is less than one hundred dollars ($100) and no letters have been taken out on the estate within six months after death then payment may be made to the undertaker or to any person or political subdivision who or which shall have paid the claim of the undertaker

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentzel,	Goodling,	McAtee,	Rose,
Bonawitz,	Gore,	McClester,	Royer,
Boney,	Grant,	McCormack,	Rudisill,
Boorse,	Green,	McDowell,	Salus,
Boory,	Greenwood,	McKinney,	Scanlon,
Bower,	Greer,	McLanahan,	Schuster,
Brancato,	Guthrie,	McMillen,	Serrill,
Breisch,	Gyger,	McNair,	Shaffer,
Brice,	Haberlen,	McNally,	Shoemaker,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hamilton,	Mikula,	Smith,
Brunner, C. H.,	Hare,	Miller,	Snider,
Brunner, P. A.,	Haudenshield,	Milliken,	Snyder,
Burns,	Heatherington,	Mills,	Sollenberger,
Cadwalader,	Helm,	Modell,	Sorg,
Chervenak,	Hennihan,	Mooney,	Stank,
Chudoff,	Hering,	Moore, C. E.,	Stockham,
Cohen,	Herman,	Moore, W. J.,	Stonier,
Coleman,	Hersch,	Moran,	Stuart,
Cook,	Hewitt,	Moser,	Swope,
Cooper,	Hoffman,	Munley,	Tahl,
Corrigan,	Hoopes,	Murray, M. L.,	Tate,
Costa,	Howells,	Murray, P. G.,	Tittle,
Coulson,	Hunter,	Myhan,	Trachtman,
Coyle,	Huntley,	Nagel,	Trent,
Cullen,	James,	Nelson,	Trout,
Dague,	Jones,	O'Brien,	Turbett,
Dalrymple,	Kennedy,	O'Connor,	Turner,
Dennison,	Kirley,	O'Dare,	Varallo,
Depuy,	Kline,	O'Donnell,	Verona,
Dillon,	Kolankiewicz,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Wagner,
Dougherty,	Krise,	Pentrack,	Waterhouse,
Duffy,	Kurtz,	Petrosky,	Watkins,
Dye,	Lane,	Pettigrew,	Weiss,
Elder,	Laughner,	Pickens,	Welsh,
Elish,	Lee,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	White,
Ewing,	Leonard,	Powers,	Wood, L. H.,
Finnerty,	Levy,	Propert,	Wood, N.,
Flack,	Lichtenwalter,	Readinger,	Worley,
Fleming,	Loftus,	Reagan,	Wright,
Foor,	Longo,	Reese, D. P.,	Yeakel,
Fox,	Lopez,	Reese, R. E.,	Yester,
Freed,	Lovett,	Reidenbach,	Fiss,
Frost,			Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 434, as follows:

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole and conferring jurisdiction on criminal courts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 21 The board is hereby authorized to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment whenever in its opinion the best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced the period of parole may be extended by the board up to but not beyond the maximum term imposed The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before but only after the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation Provided however That if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board Thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole And further provided that no person who has been sentenced to the Industrial Home for Women at Muncy Pennsylvania who was under the age of twenty-two years at the date of sentence may be paroled from that institution by the Board of Parole within three (3) years of the effective date of the said sentence unless upon the recommendation of the trustees of that institution Said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby

Section 2 Said act is hereby amended by adding thereto after section twenty-one a new section to read as follows

Section 21.1 (a) Convicted Violators Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any Penal Institution of the Commonwealth who during the period of parole or while deliquent on parole commits any crime punishable by imprisonment for which he is convicted or to which he pleads guilty at any time thereafter in a Court of Record may at the discretion of the Board be recommitted as a parole violator to the Penal Institution from which he was paroled or to any other institution to which legally transferred If his recommitment is so ordered he shall be reentered to serve the remainder of the term which said parolee would have been compelled to serve had he not been paroled and he will be given no credit for the time at liberty on parole He would be subject to the power of the Board to reparole whenever in its opinion the best interest of the prisoner justify or require his release on parole and it does not appear that the interest of the Commonwealth will be injured thereby If a new sentence is imposed upon him to be served in the same institution from which paroled then the service of the balance of said term originally imposed shall precede the commencement of the new term imposed for the latter crime If a new sentence is imposed upon him to be served in any institution other than the one from which paroled then the service of the new term for the latter crime shall precede the commencement of the balance of the term originally imposed The period of time for which the parole violator is required to serve shall be computed from and begin on the date that he is taken into custody to be returned to the institution as a parole violator

(b) Technical Violators Any parolee under the jurisdiction of the Pennsylvania Parole Board released from any Penal Institution in the Commonwealth who during the period of parole violates the terms and conditions of his parole other than the commission of a new crime of which he is convicted or to which he pleads guilty in a Court of Record may be recommitted to the institution from which he was paroled or to any other institution to which legally transferred as a parole violator Provided That before any such parolee shall be so recommitted the court which originally sentenced such parolee or a Court of Record of the county in which the alleged technical violation shall have occurred shall find such parolee guilty of substantially violating the terms and conditions of his parole other than by the commission of a new crime of which he is convicted or to which he pleads guilty in a Court of Record If he is so recommitted he shall be given credit for the time served on parole in good standing and be reentered to serve the remainder of his original sentence or sentences Said remainder shall be computed from the time his delinquent conduct occurred to the date of the possible maximum expiration and this period shall begin to run from the date the parolee is taken into custody for return to the institution as a parole violator Such prisoners shall be subject to reparole by the Board whenever in its opinion the best interest of the prisoner justify or require his being reparoled and it does not appear the interest of the Commonwealth will be injured thereby

Section 3 Section thirty-one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L.767) is hereby further amended to read as follows

Section 31 Anything herein contained to the contrary notwithstanding this act shall not apply to persons committed to the Pennsylvania Training School houses of refuge for boys or girls institutions for the discipline or correction of juveniles as defined by existing laws or persons imprisoned in any county jail workhouse or other penal or correctional institution under sentence by an alderman justice of the peace or magistrate or committed in default of payment of any fine or of bail

This act shall apply to inmates confined in the Pennsylvania Industrial School (White Hill) situate at Camp Hill Pennsylvania [the Industrial Home for Women at Muncy Pennsylvania] and the Pennsylvania Industrial School at Huntingdon Pennsylvania when the maximum sentence which could have been imposed for the crime of which the prisoner was convicted equals or exceeds two years including juveniles under 18 years of age serving sentence in the above named institutions and it shall apply to inmates confined in the Industrial Home for Women at Muncy Pennsylvania in all cases where the maximum period of incarceration might equal or exceed two years regardless of the maximum sentence which could have been imposed for the crime of which the prisoner was convicted including juveniles under 18 years of age serving sentence in this institution but exclusive of juvenles committed [to said institutions] thereto

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 624, as follows:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following described roads which were added to the state highway system under the provisions of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

Beaver County

The section of road in Patterson Township Beaver County designated in the records of the Department of Highways as Route 04106 Spur "E" and extending about 0.1 of a mile from the intersection of Route 204 and 04004

Montour County

The section of road in Limestone Township Montour County extending .86 of a mile southwesterly from Limestoneville to Route 585 and designated Route 47018 Spur "E" in the records of the Department of Highways

Susquehanna County

The section of highway presently identified on Department of Highway records as Route 876 Spur "E" from its intersection with Route 174 to the Montrose and Harford Plank Road in Ridgewater Township Susquehanna County a distance of about 0.03 of a mile

Section 2 The following described roads or sections of road which were added to the state highway system under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highway certain condemned or abandoned turnpikes and turnpikes the companies or association owning which have been dissolved and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

Bradford County

The section of road in Warren Township Bradford County extending from Route 08100 near Aurora through Aurora and Warrenham to the Susquehanna County line formerly the Milford and Owego Turnpike and designated in the records of the Department of Highways as Route 944 a distance of about 3.5 miles

Centre County

The section of road in Patton and Huston Townships Centre County from Route 346 near Waddle to a point 400 feet south of Bald Eagle Creek near Julian presently identified in the records of the Department of Highways as a part of Route 868

Clearfield County

The sections of the former Tuckahoe and Mount Pleasant Plank Road in Gulich Township Clearfield County beginning at a point on the Cambria County line about 1.2 miles west of the Blair County line and extending westerly and southerly about 1.07 miles to a second point on the Cambria County line and from a third point on the Cambria County line northwesterly about 0.35 of a mile to a point in the village of Allemans 0.28 of a mile east of Route 276

Jefferson County

Two sections of the former Luthersburg and Punxsutawney Turnpike preesntly identified on Department of Highways records as Route 847 The first section beginning on the north Big Run Borough line at Caroline Street thence northeasterly in Henderson Township to Route 33051 The second section beginning at Route 338 about 1.20 miles southwest of Cramer thence northeasterly in Henderson Township to Route 189 just south of Route 33052 in Jefferson County a total distance of about 3.10 miles

Susquehanna County

A section of the former Bridgewater and Wilkes-Barre Turnpike presently identified on Department of Highways records as Route 842 from its intersection with Route 12 northwesterly to Route 57022 in Bridgewater Township Susquehanna County a distance of 0.55 miles

A section of the former Montrose and Harford Plank Road presently identified on Department of Highways records as Route 876 from its intersection with Route 57027 west of Alford northerly and southwesterly through Brooklyn New Milford and Bridgewater Townships to Route 876 Spur "E" about 1.3 miles southeast of Tiffany in Susquehanna County a distance of about 3.27 miles

A section of the former Abington and Waterford Turnpike presently identified on Department of Highways records as Route 939 from its intersection with Route 57025 east of Montrose northwesterly across Routes 9 and 57069 Spur "E" in Brigewater Township to a point on Route 263 northeast of Montrose in Susquehanna County a distance of about 1.74 miles

Four (4) sections of the former Milford and Owego Turnpike presently identified on Department of Highways records as Route 944 The first section beginning at the Susquehanna-Bradford County line thence southeasterly in Apolacon Township to Route 57086 The second section beginning at Route 57086 thence easterly in Apolacon Township to township road number 687 The third section beginning at Route 316 thence in a general southeasterly direction through Forest Lake Township to its north intersection with Route 57115 and from its south intersection with Route 57115 about 0.4 of a mile southeasterly from the north intersection to the present intersection with Route 57079 southwest of Forest Lake The fourth section beginning at Route 57023 thence southeasterly in Bridgewater Township to the western line of Montrose Borough All in Susquehanna County a total distance of about 6.94 miles

Section 3 The following described roads or sections of road which were added to the state highway system under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (Pamphlet Laws 796) entitled "An act establishing as state highways certain county highways and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

Fayette County

A section of former county road presently identified on Department of Highways records as Route 26155 Beginning on Route 26098 southwest of Hillar in Luzerne Township thence southwesterly to a point near Charleton School in Fayette County a distance of about 0.78 of a mile

A section of former county road presently identified on Department of Highways records as Route 26156 Beginning at the eastern terminus of township road 26655 west of Brownsville Borough thence northeasterly in Brownsville Township to Redstone Creek at the Redstone Township line in Fayette County a distance of about .55 of a mile

A section of former county road presently identified on Department of Highways records as Route 26157 Beginning at a point on the Jefferson-Perry Township line on township road 26494 thence northeasterly and southeasterly to the western terminus of township road 26781 in Perry Township Fayette County a distance of about one mile

A section of former county road presently identified on Department of Highways records as Route 26160 Beginning at a point on Route 288 about 0.46 of a mile north of Uniontown City line thence northwesterly in North Union Township to the south terminus of township road 26986 northwest of Phillips in Fayette County a distance of about 1.97 miles

Luzerne County

The section of road in Huntingdon Township Luzerne County extending westerly from Route 235 Spur and 40084 at Harveysville to Route 40080 near Register and identified in the records of the Department of Highways as Route 40127

Section 4 On or after the effective date of this act the roads herein described shall be maintained constructed and reconstructed by the authorities of the township borough incorporated town or city in which they are located

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constition, the ye' and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madden,	Riley,
Barton,	Gardner,	Madigan,	Robertson,
Baumunk,	Getchey,	Mahany,	Root,
Bentzel,	Gibson,	Matthews,	Rose,
Bonawitz,	Goodling,	McAtee,	Royer,
Boney,	Gore,	McClester,	Rudisill,
Boorse,	Grant,	McCormack,	Salus,
Boory,	Green,	McDowell,	Scanlon,
Bower,	Greenwood,	McKinney,	Schuster,
Brancato,	Greer,	McLanahan,	Serrill,
Breisch,	Guthrie,	McMillen,	Shaffer,
Brice,	Gyger,	McNair,	Shoemaker,
Brothers,	Haberlen,	McNally,	Sloan,
Brown,	Hall,	Mihm,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Snyder,
Burns,	Haudenshield,	Milliken,	Sollenberger,
Cadwalader,	Heatherington,	Mills,	Sorg,
Chervenak,	Helm,	Modell,	Stank,
Chudoff,	Hennihan,	Mooney,	Stockham,
Cohen,	Hering,	Moore, C. E.,	Stonier,

Coleman,	Herman,	Moore, W. J.,	Stuart,
Cook,	Hersch,	Moran,	Swope,
Cooper,	Hewitt,	Moser,	Tahl,
Corrigan,	Hoffman,	Munley,	Tate,
Costa,	Hoopes,	Murray, M. L.,	Tittle,
Coulson,	Howells,	Murray, P. G.,	Trachtman,
Coyle,	Hunter,	Myhan,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,			Speaker.

NAYS—1

Nagel,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 626, as follows:

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" is hereby amended by adding after section one a new section to read as follows

Section 1.1 No motor boat of more than five horse power shall be operated on the inland waters of this Commonwealth in locations where such waters are one hundred eighty (180) feet or less in width These restrictions do not apply to any motor boats or other watercraft engaged in commercial navigation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 638, as follows:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the

United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus And for reserves as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Domestic stock and mutual insurance companies other than life may transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities on risks outside of the United States its territories and possessions provided that any such company shall maintain a minimum policyholders' surplus of two million dollars ($2,000,000.00)

Section 2 Domestic stock and mutual insurance companies other than life may accept any and all kinds of reinsurance other than life insurance and annuities provided that such company shall maintain a minimum policyholders' surplus as now required by law

Section 3 All companies doing business authorized by this act shall maintain reserves in the amounts and in the manner prescribed by sub-article (b) of article III of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789 as amended)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney.	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 692, as follows:

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and responsible charge" and changing the form of certificates of registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" are hereby amended to read as follows

Section 2 Definitions The term "professional engineer" as used in this act shall mean a person who through technical knowledge gained by education or by experience in one or more branches of engineering including surveying initiates investigates plans and directs the control of nature and of human activities in connection therewith for the benefit of man and who represents himself or herself to be such a professional engineer either through the use of the term "professional engineer" with or without qualifying adjective or through the use of some other title implying that he or she is such a professional engineer

The term "surveyor" as used in this act shall mean any person engaged in that branch of engineering known as "surveying" who makes surveys for the determination of area or for the establishment or reestablishment of land boundaries or the subdivision and platting of land who makes surveys for the establishment of lines or grades or elevations for carrying out engineering work including the preparation of plans or specifications for

minor engineering work not involving safety to life and who determines quantities or who makes estimates for proposed work or for work under construction or work that is completed or who in addition to the foregoing makes estimates of quantities of mineral or minerals in place or that have been removed

The term "board" as used in this act shall mean the State Registration Board for Professional Engineers

The term "practice of engineering" shall mean the practice of civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying or any constituent part or parts of these or combinations thereof such as architectural engineering ceramic engineering industrial engineering metallurgical engineering petroleum and natural gas engineering sanitary engineering and structural engineering the pursuit of any of which affect life health or property or the public welfare Said practice also includes the doing of such architectural work as is incidental to the practice of engineering

The term "Responsible Charge" shall mean such degree of competence and accountability gained by technical education and experience of a grade and character as is sufficient to qualify an individual to personally and independently engage in and be entrusted with the work involved in the practice of engineering or surveying

Section 4 Certificates of Registration Qualifications of Applicant The board upon application on the form prescribed by it and upon the payment of a fee of twenty dollars and except as hereinafter provided shall issue a certificate of registration to the following persons to wit

(a) Any person who submits evidence that he or she is fully qualified to practice the profession of engineering in any of its branches including surveying or

(b) Any person submitting evidence satisfactory to the board who holds an unexpired certificate of registration issued to him or her by any proper authority in the District of Columbia or in any state or territory of the United States or in any province of the Dominion of Canada in which the requirements and qualifications for obtaining a certificate of registration to practice the profession of engineering in any of its branches including surveying are not lower than those specified in this act

Provided That no person shall be eligible for registration under this section who is not a citizen of the United States or of the Dominion of Canada or at least twenty-one years of age or who does not speak read or write the English language or is not of good character or repute or has not been actively engaged for at least the minimum number of years hereinafter specified in the practice of the profession of engineering in any of its branches including surveying of a character satisfactory to the board And provided That each year of teaching or of the study of engineering in a school or college satisfactory to the board shall be considered as equivalent to one year of active practice but the total number of years of study and teaching which may be credited to active practice shall not exceed four years nor shall the additional active practice in the profession of engineering be less than four years and

Provided further That the board shall register upon the payment of the renewal fee provided in this act and shall issue a registration card for the year one thousand nine hundred twenty-seven to each person surrendering to it an authentic registration card for one thousand nine twenty-seven or one thousand nine hundred twenty-six issued by the State Board for Registration of Professional Engineers and of Land Surveyors created by the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (P. L. 1131) entitled "An act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the Registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties" which act was declared unconstitutional by the Supreme Court of the Commonwealth of Pennsylvania

The board after an examination or receiving other evidence of qualification as provided in this act shall issue a certificate of registration stating that the registrant is qualified to practice as a professional engineer or as a surveyor the branch or branches of engineering including surveying which the results of an examination or other evidence of qualification as provided in this act qualifies the registrant to practice The said board shall cause to be impressed upon each certificate of registration issued under this act the seal of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 766, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the Seventeenth Clause Eighth Section of the First Article of the Constitution of the United States to the acquisition by the United States of America of a tract of land in the city and county of Philadelphia at such location and of such size as may be requested by the Government of the United States and approved by the Governor of this Commonwealth such tract to be used as the site of the headquarters or capitol of such organization as may be formed by The United Nations to preserve the peace of the world If and when the tract for this purpose shall have been selected by the Government of the United States and approved by the Governor of this Commonwealth a description thereof certified by the Governor shall be filed in the Office of the Secretary of Internal Affairs and in the office of the Recorder of Deeds for Philadelphia County

Section 2 Exclusive jurisdiction in and over the aforesaid tract is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection thereon of such buildings as may be deemed necessary by the Government of the United States or by The United Nations and for other purposes consistent with the establishment of the headquarters or capitol of the organization created by the United Nations to preserve the peace of the world

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for thirty minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 563

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee

of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 563.

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 563

Mr. SORG. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 563, Printer's No. 587.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for th purpose of considering Senate Bill No. 563, entitled: "An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties"

Respectfully submit the following bill as our report:

A. Evans Kephart,
Paul M. Crider,
Carleton T. Woodring,
(Committee on the part of the Senate.)

Herbert P. Sorg,
Adam T. Bower,
Earl Chudoff,
(Committee on the part of the House of Representatives.)

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person to sell or offer for sale any surplus properties as defined in the Federal Surplus Property Act of 1944 October third one thousand nine hundred forty-four C 479 58 Stat 765 who or which does business carries on or trades under or in any way uses in dealing with the public directly or indirectly any name which by reason of the inclusion of a word or words such as "army" "navy" "United States" "federal" "treasury" "procurement" "G I" or any others which connote the United States government or its armed forces or any of its departments or agencies has a tendency to lead the purchasing public to believe contrary to fact that the establishment at which such materials or property are offered for sale has some official relationship to the United States government or that all the articles sold or offered for sale are such surplus properties or that the articles there sold are of higher quality and lower prices than those elsewhere obtainable Provided however That this act shall not apply to any establishment or business which for five years prior to the effective date of this act has utilized any such terms as part of its trading name

Section 2 No contract to sell sale or any other arrangement concerning the disposition of any such surplus properties shall be made to any person who or which carries or trades under or in any way uses in dealing with the public or intends to use in retailing the same directly or indirectly any name which includes the words quoted or referred to in section one of this act Provided however That this section shall not apply to any establishment or business which for five years prior to the effective date of this act has utilized any such terms as a part of its trading name

Section 3 Any person who wilfully violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five thousand dollars ($5,000) or be imprisoned for not more than one year or both in the discretion of the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

On th question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose, I
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 148.

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, Page 2, Line 2, by striking out the word "five"; also in line 3 by striking out the words "six hundred sixty-nine"; also in line 4 by striking out the figure "$5,669,000". Also on page 3 by inserting after the figure $150,000 in line 18, the folowing: "(d) For the support of research and investigation of basic problems affecting the slate industry the sum of thirty-five thousand dollars ($35,000)"; also in line 19 by striking out "(d)" and inserting in lieu thereof "(e)"; also in line 21 by striking out "including slate the sum of seventy-five thousand dollars ($75,000)" and inserting in lieu thereof "the sum of forty thousand dollars ($40,000)"; also in line 23 by striking out "(e)" and inserting in lieu thereof "(f)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 255.

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by striking out after the word "act" the words "twenty per centum (20%)" and inserting in lieu thereof: "thirty-three and one third per centum (33 1/3%)"; also, section 1, page 2, line 11, by striking out after the word "forty-five" the words "twenty per centum (20%)" and inserting in lieu thereof the words "thirty-three and one-third per centum (33 1/3%)"; also page 2, line 12, by striking out after the word "forty-six" the following: "twenty per centum (20%) or more on or before the first day of November one thousand nine hundred forty-seven twenty per centum (20%) or more on or before the first day of November one thousand nine hundred forty-eight"; also page 2, line 18, by striking out after the word "hundred" the word "forty-nine" and inserting in lieu thereof the word "forty-seven".

Amend Section 6, page 5, line 27, by striking out after the word "except" the word "in" and inserting in lieu thereof the words "as herein otherwise provided. The aforesaid provision shall not be construed to prohibit the commencing of proceedings leading up to a sale but only the actual sale. In".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 273.

An Act to further amend the third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title by inserting after the word "headstones" the words "in certain cases"; also in section 1, page 2, line 8, by striking out the light faced brackets before the word "each" also in line 8 by striking out the light faced bracket following the word "State"; also in line 8, by striking out the words "the county in which a deceased service person is buried"; also in line 10, by striking out the light faced bracket before the word "any"; also by striking out the light faced bracket following the word "any"; also in line 10, by striking out the word "such"; also in line 11, by striking out the light faced bracket before the word "who"; also in line 12, by striking out the light faced bracket following the word "county"; also page 3, line 6, by striking out the word "is buried without regard to the county in which he or she"; also in line 9, by striking out the word "or"; also in line 10, by striking out the light faced bracket before the word "and"; also in line 11, by striking out the light faced bracket following the word "county".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,

Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 276.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 3, page 2, line 15, by striking out the following: "sixty thousand dollars ($60,000)" and inserting in lieu thereof "thirty thousand dollars ($30,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 376.

An Act to further amend section six (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 322) entitled "An act to revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships" as last amended by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General to compromise and settle claims for bonus interest and penalties thereon in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 6, page 2, line 12, by inserting after the number "6" the words: "Returns Reports Penalties Settlement or Assessment Collection Lien"; also line 20, insert after the word "paid" the following: "The payment of interest as aforesaid shall not relieve any corporation from any of the penalties imposed by law for neglect or refusal to make a report or return to the Secretary of the Commonwealth or to pay any bonus due the Commonwealth from such corporation."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 478.

An Act to amend sections one and two and to further amend section three of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344—No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and testify against each other in certain cases" authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried and to become surety on any bond bail or recognizance

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title by striking out the words "and to become surety on any bond bail or recognizance".

Amend Section 2, page 3, by striking out the entire section as follows: "Section 2 Section three of said act as amended by section one of the act approved the twenty-seventh day of March one thousand nine hundred thirteen (P. L. 14) is hereby further amended to read as follows Section 3 Hereafter a married woman may become surety on any bond bail or recognizance and may sue and be sued civilly in all respects and in any form of action and with the same effect and results and consequences as an unmarried person but she may not sue her husband except in a proceeding for divorce or in a proceeding to protect and recover her separate property nor may he sue her except in proceeding for divorce or in a proceeding to protect or recover his separate property nor may she be arrested or imprisoned for her torts".

Amend Section 3, page 3, line 16, by striking out the figure "3" and inserting in lieu thereof the figure "2".

Amend Section 4, page 3, line 18, by striking out the figure "4" and inserting in lieu thereof the figure "3".

On the question,

Will the House concur in the amendments made by the Senate?

Mrs. VARALLO. Mr. Speaker, Mrs. Coyle and myself feel as though we have been greatly honored by your favorable report on House Bill 478, Printer's No. 747. We want to take this opportunity to thank you, Mr. Speaker, and the Members of the House for a step in the right direction. I ask that the House do concur in the amendments inserted by the Senate to House Bill 478.

Mrs. COYLE. Mr. Speaker, it is my happy privilege to second the request to concur.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentzel,	Goodling,	McAtee,	Rose,
Bonawitz,	Gore,	McClester,	Royer,
Boney,	Grant,	McCormack,	Rudisill,
Boorse,	Green,	McDowell,	Salus,
Boory,	Greenwood,	McKinney,	Scanlon,
Bower,	Greer,	McLanahan,	Schuster,
Brancato,	Guthrie,	McMillen,	Serrill,
Breisch,	Gyger,	McNair,	Shaffer,
Brice,	Haberlen,	McNally,	Shoemaker,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hamilton,	Mikula,	Smith,
Brunner, C. H.,	Hare,	Miller,	Snider,
Brunner, P. A.,	Haudenshield,	Milliken,	Snyder,
Burns,	Heatherington,	Mills,	Sollenberger,
Cadwalader,	Helm,	Modell,	Sorg,
Chudoff,	Hennihan,	Mooney,	Stank,
Cohen,	Hering,	Moore, C. E.,	Stockham,
Coleman,	Herman,	Moore, W. J.,	Stonier,
Cook,	Hersch,	Moran,	Stuart,
Cooper,	Hewitt,	Moser,	Swope,

Corrigan,	Hoffman,	Munley,	Tahl,
Costa,	Hoopes,	Murray, M. L.,	Tate,
Coulson,	Howells,	Murray, P. G.,	Tittle,
Coyle,	Hunter,	Myhan,	Trachtman,
Cullen,	Huntley,	Nagel,	Trent,
Dague,	James,	Nelson,	Trout,
Dalrymple,	Jones,	O'Brien,	Turbett,
Dennison,	Kennedy,	O'Connor,	Turner,
Depuy,	Kirley,	O'Dare,	Varallo,
Dillon,	Kline,	O'Donnell,	Verona,
Dix,	Kolankiewicz,	O'Neill,	Wachhaus,
Dougherty,	Komorofski,	Owens,	Wagner,
Duffy,	Krise,	Pentrack,	Waterhouse,
Dye,	Kurtz,	Petrosky,	Watkins,
Elder,	Lane,	Pettigrew,	Weiss,
Elish,	Laughner,	Pickens,	Welsh,
Erb,	Lee,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	White,
Finnerty,	Leonard,	Powers,	Wood, L. H.,
Flack,	Levy,	Propert,	Wood, N.,
Fleming,	Lichtenwalter,	Readinger,	Worley,
Foor,	Loftus,	Reagan,	Wright,
Fox,	Longo,	Reese, D. P.,	Yeakel,
Freed,	Lopez,	Reese, R. E.,	Yester,
Frost,	Lovett,	Reidenbach,	Fiss,
Fullerton,			Speaker.

NAYS—1

Chervenak,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 509.

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making husbands or wives liable for payment of per capita taxes levied against their wives or husbands and authorizing collection thereof from such husbands and wives

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 12, by striking out after the word "husbands" the words "or wives"; also title, page 1, line 13, by striking out after the word "wives" the words "or husbands"; also title, page 1, line 14, by striking out after the word "husbands" the words "and wives".

Amend Section 542, page 2, line 23, by striking out after the word "levied" the following: "or every wife against whose husband a per capita tax is levied"; also page 2, line 25, by striking out after the word "husband" the words "or wife as the case may be"; also Section 542, page 3, line 1, by striking out after the word "husband" the words "or wife"; also page 3, line 2, by striking out after the word "husband's" the words "or wife's".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, for the benefit of the gentleman from Elk, we are now speaking about House Bill 509, the Wives Bill. I believe the gentleman realizes that?

Mr. SORG. Yes, Mr. Speaker.

Mr. LEVY. Will the gentleman explain to the House what the Senate in effect did with the wives in the bill?

Mr. SORG. I think the gentleman has reference to the bill previously concurred in, Mr. Speaker.

Mr. LEVY. No, this is a new bill. Mr. Speaker, we are now considering the amendment inserted by the Senate in House Bill 509, is that right?

Mr. SORG. That is correct.

Mr. LEVY. I desire to ask the gentleman from Elk to inform the Members of the House what the effect is of the amendments inserted by the Senate.

Mr. SORG. Everything, Mr. Speaker.

Mr. LEVY. I thank the gentleman.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.
Finnerty,	Leonard,	Propert,	Wood, N.

Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmativve, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 839.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs and revising, amending and changing the law relating thereto.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 19, by striking out after the word "said" the word "Act", and inserting in lieu thereof the word "act"; also line 20, page 2, by striking out after the word "adding" the word and numeral "Section 906" and inserting in lieu thereof the words: "Section nine hundred six".

Amend Section 3, page 4, line 28, by striking out after the word "days" the words "during the month of January".

Amend Section 5, page 8, lines 25 and 26, by striking out after the word "of" the words "Section 1035" and inserting in lieu thereof "section one thousand thirty-five".

Amend Section 8, page 16, line 10, by striking out after the word "dollars" the figure "($5.00)".

Amend Section 8 (d), page 18, line 12, by inserting after the word "Commission" the words "those made with any municipal authority"; also page 18, line 15, by inserting after the word "Government" the words "or any municipal authority".

Amend Section 10, page 21, by striking out lines 25, 26, 27, 28 and on page 21 lines 1 to 6 inclusive.

Amend page 22, line 7, by striking out after the word "Section" the numeral "11" and inserting in lieu thereof the numeral "10"; also line 7 by striking out after the word "adding" the word and numeral "Section 2493" and inserting in lieu thereof the words "section two thousand four hundred ninety-three".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 877.

An Act to further amend sections sixteen and seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treas-

urer's sales, eliminating the right of redemption after such sales, and further providing for the reimbursement to the county for moneys spent on such property in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 17, by striking out after the word "sales" the words "eliminating the right of redemption after such sales."

Amend section 17, page 8, line 13, by striking out the light-faced bracket after the word "kind"; also section 17, page 8, line 18, by striking out the light-faced bracket after the word "sale".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Trent,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reidenbach,	Yester,
Freed,	Lopez,	Reese, R. E.,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skala,
Rajan			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 956.

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by changing or deleting certain routes and adding certain new routes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 5, line 12, by inserting after the word "mile" the following:

Blairsville Borough

Route 32005 Extending Route 32005 Beginning at a point on the Blairsville Borough-Burrell Township line thence in a northwesterly direction on South Liberty Street to an intersection with Main Street thence over Main and Walnut Streets to Route 223 at [West] Market and [South Liberty] Walnut Streets in the borough of Blairsville Indiana County a distance of about [.45] 0.60 of a mile

Big Run Borough

[Route 847 Extending 847 Beginning at a point on the Henderson Township Big Run Borough line thence southwesterly on Caroline Street to an intersection with Route 189 at Caroline and Main Streets in the Borough of Big Run Jefferson County a distance of about 0.23 of a mile]

Sykesville Borough

[Route 33075 Extending Route 33075 Beginning at a point on the Winslow Township Sykesville Borough line thence over a borough street to a point on Route 338 at Main Street in the borough of Sykesville in Jefferson County a distance of about 0.4 of a mile]

Amend section 2, page 6, line 29, after the word "routes" by inserting the following:

Allegheny County

Castle Shannon Borough

Route 02235 Extending Route 02235 Beginning at a point on the Castle Shannon Borough-Mt Lebanon Township line thence over Castle Shannon Road to a point on Route 247 in Castle Shannon Borough Allegheny County a distance of about 0.5 of a mile

Oakmont Borough

Beginning at a point on Route 02196 at Oakmont Avenue and Plum Street and extending in a northerly direction on Oakmont Avenue to the Plum Township line in the Borough of Oakmont Allegheny County a distance of about 0.6 of a mile

Beginning at the end of the Hulton Bridge thence over Hulton Road to the Plum Township line in the Borough of Oakmont Allegheny County a distance of about 0.5 of a mile".

Also page 11, line 14, by inserting after the word "mile":

Jefferson County

Falls Creek Borough

Route 33085 Extending Route 33085 Beginning at a point on the western Falls Creek Borough line thence easterly over Fuller Avenue to Route 650 Spur at Third Street in Falls Creek Borough Jefferson County a distance of about 0.5 of a mile

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood L. H.,
Finnerty,	Leonard,	Propert,	Wood N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D P.,	Yeakel,
Fox,	Longo,	Reese, R E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 986.

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly or as a member of the public school employes' retirement association in the period of service of a contributor upon his making certain back payments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title by striking out the following: "or as a member of the public school employes' retirement association"; also amend section 10, line 11, page 3, by striking out the following: "or a member of the public school employes' retirement association"; also in line 15, by striking out the following: "or shall agree to pay"; also in line 15, by striking out "State employes'"; also in line 19, by striking out the words "State employes'"; also in line 19, by striking out the words "the period of such membership", and inserting in lieu thereof the words "such entire period".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,

Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL 1135.

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by inserting after the word "property" the following: "except the right of way of a railroad company".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Reilly,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1225.

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement, development and maintenance of the plot of ground in the city of Erie, Pennsylvania acquired for the location of the Flagship Niagara.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1 line 1, page 1, by striking out the word "fifteen" and inserting in lieu thereof the word "five"; in line 2, by striking out the figure "($15,000)" and inserting in lieu thereof the figure "($5,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,

Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1280.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-five

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title page 1, line 5 by striking out the word "and" immediately following the word "hundred". Also line 8, by omitting the word "and".

Amend Section 2, page 2, line 4, by striking out the word "and" immediately following the word "hundred." Also line 6, by striking out the word "and".

Amend Section 2, page 8, line 17, by striking out the word "and" preceding the word "thirty-four" and also the word "and" preceding the word "thirty-three". Also line 18, by striking out the word "and" preceding the word "thirty-four." Also Section 2, page 8, line 29 by striking out the figures "365, 624.00" and inserting in lieu thereof the figures "365, 625.00."

Amend Section 2, page 9, line 22 by striking out the words "Soil Conservation District Law" and inserting in lieu thereof "Law with respect to soil conservation."

Amend Section 2, page 9, line 26 by striking out the words "two million four hundred eighty-six thousand dollars ($2,486,000)" and inserting in lieu thereof the words "two million six hundred and forty-one thousand dollars ($2,641,000)."

Amend Section 2, page 10, line 28 by striking out the word "deartment" and inserting in lieu thereof the word "department".

Amend Section 2, page 11, line 27 by striking out the word "dvkes" and inserting in lieu thereof the word "dykes".

Amend Section 2, page 14, line 1 by striking out the words "two hundred eighteen thousand five hundred dollars ($218,500)" and inserting in lieu thereof the words "two hundred sixty-one thousand dollars ($261,000)".

Amend Section 2, page 15, line 19 by striking out the words "thirty-four" and inserting in lieu thereof the word "six". Also on line 19 by striking out the figures "($3,434,000)" and inserting in lieu thereof the figures "($3,406,000)".

Amend Section 2, page 16, line 2 by striking out the word "orthopoedic" and inserting in lieu thereof the word "orthopedic".

Amend Section 2, page 23, line 11 by inserting immediately following "(794,700)" the following words "For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of fifty thousand dollars ($50,000)".

Amend Section 2, page 23, line 24 by striking out the word "state" and inserting in lieu thereof the word "State".

Amend Section 2, page 27, line 21 by striking out the word "forty-nine" and inserting in lieu thereof the word "seventy-four." Also line 21 by striking out the figures ($649,000)" and inserting in lieu thereof the figures "($674,000)".

Amend Section 2, page 28, line 11 by inserting after the word "hundred" the word "twenty-eight". Also in line 11 by striking out the figures "($600,000)" and inserting in lieu thereof the figures "($628,000)". Also page 28, line 14 by striking out the words "certification of teachers" and inserting in lieu thereof "pre-professional". Also page 28, line 15 by striking out the word "board" and inserting in lieu thereof the word "boards". Also on page 28, line 16 by striking out the word "committee' and inserting in lieu thereof the word "committees".

Amend Section 2, page 29, line 14 by inserting immediately following the word "appropriation" the following:

"For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of thirty thousand dollars ($30,000)."

Amend Section 2, page 31, line 16 by striking out the following: "five hundred twenty-one thoustand eight hun-

dred dollars ($521,800)" and inserting in lieu thereof "five hundred eighty-eight thousand ($588,000)". Also page 31, line 25 by striking out the following: "seven hundred eight thousand dollars ($708,000)" and inserting in lieu thereof "eight hundred twenty-six thousand ($826,000)".

Amend Section 2, page 32, line 22 by striking out the following: "one million eight hundred fifty thousand dollars ($1,850,000)" and inserting in lieu thereof "two million dollars ($2,000,000)". Also page 32, line 24 by striking out the word "transportation" and inserting in lieu thereof the words "transportation."

Amend Section 2, page 33, line 13 by striking out the following: "For reimbursing school districts upon the salaries of school teachers and for closed schools and for non-resident high school tuition as required by law the sum of seventy-six million two hundred eighty-three thousand dolars ($76,283,000) Provided That the Superintendent of Pub-" and inserting in lieu thereof the following: "For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for non-resident high school tuition and any other non-resident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of one hundred twenty-seven million dollars ($127,000,000) Provided That the Superintendent of Pub-"

Amend Section 2, page 34, line 11 by striking out the following: "'two million nine hundred thousand dollars ($2,900,000)" and inserting in lieu thereof the following: "three million one hundred sixty-eight thousand dollars ($3,168,000)." Also page 34, line 16 by striking out the following: "four million six hundred forty thousand dollars ($4,640,000)" and inserting in lieu thereof the following: "five milion twenty-four thousand dollars ($5,024,000)".

Amend Section 2, page 34, line 24 by striking out the word "pupil's" and inserting in lieu thereof the word "pupils'".

Amend Section 2, page 43, line 11 by striking out the word "and".

Amend Section 2, page 43, line 14 by inserting immediately following the word "states" the following: "for the purchase from privately operated non-sectarian hospitals at cost not exceeding five dollars ($5.00) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to seven hundred fifty dollars ($750.00) per bed provided and for the establishment and maintenance of psychiatric clinics under the regulations of the department."

Amend Section 2, page 45, line 24, by striking out the word "Commision" and inserting in lieu thereof the word "Commission".

Amend Section 2, page 47, line 8, by inserting the following immediately after the word "Fisheries":

To the Ohio River Valley Water Sanitation Commission

For support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 P. L. 50 the sum of twenty-four hundred dollars ($2,400) Requisitions shall be prepared and signed by the Secretary of Commerce".

Amend Section 2, page 47, line 21, by inserting the following immediately after the word "General":

"To the General State Authority

For the payment of all salaries and general expenses of every description necessary in closing out the affairs of the General State Authority the sum of ten thousand dollars ($10,000)".

Amend Section 2, page 47, line 24 striking out the word "one" immediately following the word "June" and inserting in lieu thereof the word "first". Also page 47, line 25 by striking out the word "and" immediately following the word "hundred". Also page 47, line 27 by striking out the word "and".

Amend Section 2, page 52, line 7 by striking out the word "dallars" and inserting in lieu thereof the word "dollars".

Amend Section 2, page 56, line 6 by striking out the word "scretary" and inserting in lieu thereof the word "secretary".

Amend Section 2, page 58, line 17 by inserting immediately following the word "thousand" the words "nine hundred".

Amend Section 2, page 62, line 12 by striking out the word "year" and inserting in lieu thereof the word "years".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL 1002.

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 1, by striking out the following: "State Board of Vocational Education which is also known as the State Board of Vocational Rehabilitation" and inserting in lieu thereof the following: "members of the State Council of Education and the Secretary of Labor and Industry who shall constitute the State Board of Vocational Education and which Board is also designated as the State Board of Vocational Rehabilitation".

Amend Section 3, page 4, line 2, by inserting after the word "board" the following: "subject to the approval of the Executive Board of the Commonwealth when required by law." Also inserting in line 26, after the word "individuals "the following:

"(4) To administer the expenditure of funds made available by the government of the United States for vocational rehabilitation

(5) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(6) To administer the laws of the Commonwealth providing for vocational rehabilitation

The Secretary of Labor and Industry shall be chief executive officer for vocational rehabilitation of the State Board of Vocational Education

All persons employed by the Department of Labor and Industry and the Department of Public Instruction in administering the laws relating to vocational rehabilitation on the effective date of this act are hereby transferred to and shall become employes of the State Board of Vocational Rehabilitation in the Department of Labor and Industry and shall be assigned to the Board of Vocational Rehabilitation to continue the administration of said laws The status of every such person under any law or regulation providing for civil service shall not be affected by such transfer

All files records and equipment of the Department of Labor and Industry and Department of Public Instruction pertaining to the administration of the laws relating to vocational rehabilitation shall become the property of the State Board of Vocational Education designated as the State Board of Vocational Rehabilitation".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF SELECT COMMITTEE

Mr. SORG. submitted the report of the Select Committee appointed pursuant to House Resolution No. 49.

The report was read by the Clerk as follows:

RESOLUTION AMENDING HOUSE RULE 27

In the House of Representatives, May 5, 1945.

Resolved, That Rule 27 of the House which reads as follows:

"A committee composed of the Speaker; seven Members of the House selected by the majority party and three Members selected by the principal minority party shall constitute a "Committee on Committees" whose duty it shall be to recommend to the House the names of the members of the following standing committees the chairmen and vice-chairmen of which shall be named by the Speaker.

A Committee on Aeronautics to consist of 20 members.
Agriculture to consist of 30 members.
Apportionment to consist of 30 members.
Appropriations to consist of 30 members.
Banking to consist of 30 members.
Boroughs to consist of 30 members.
Building and Loan Associations to consist of 20 members.
City and County—First Class to consist of 20 members.
Cities and Counties—Second Class to consist of 30 members.
Cities—Third Class to consist of 20 members.
Constitutional Amendments to consist of 20 members.
Corporations and Industry to consist of 30 members.
Counties to consist of 30 members.
Dairy Industries to consist of 20 members.
Education to consist of 30 members.
Elections to consist of 20 members.
Federal Relations to consist of 20 members.
Fisheries to consist of 30 members.
Forestry to consist of 30 members.
Game to consist of 30 members.
Highways to consist of 30 members.
Insurance to consist of 20 members.
Inter-State Cooperation to consist of 5 members provided by law.
Judiciary General to consist of 30 members.
Judiciary Special to consist of 30 members.
Labor to consist of 30 members.
Law and Order to consist of 20 members.
Liquor Control to consist of 30 members.
Military Affairs to consist of 30 members.
Mines and Mining to consist of 30 members.
Motor Vehicles to consist of 20 members.
Municipal Corporations to consist of 20 members.
Printing to consist of 20 members.
Professional Licensure to consist of 30 members.
Public Health and Sanitation to consist of 20 members.
Public Utilities to consist of 30 members.
Railroads and Railways to consist of 20 members
State Government to consist of 30 members.
Townships to consist of 30 members.
Ways and Means to consist of 30 members.
Welfare to consist of 30 members.
Workmen's Compensation to consist of 30 members.

The floor leaders of the two major political parties shall be ex-officio members of all standing committees without the right to vote and shall be excepted from any limitation as to the number of members appointed to any committee.

The membership designated for all Standing Commit

tees of the House shall be in addition to the Chairmen and Vice Chairmen thereof."
is hereby amended to read:

"A Committee composed of the Speaker; seven Members of the House selected by the majority party and three Members selected by the principal minority party shall constitute a "Committee on Committees" whose duty it shall be to recommend to the House the names of the members of the following standing committees the chairmen and vice-chairmen of which shall be named by the Speaker.

A Committee on Agriculture and Dairy Industries to consist of 30 members.

Appropriations to consist of 30 members.

Banking and Building Loan Associations to consist of 30 members.

Boroughs and Townships to consist of 30 members.

Cities to consist of 30 members.

Corporations and Industry to consist of 30 members.

Counties to consist of 30 members.

Education to consist of 30 members.

Elections and Apportionment to consist of 30 members.

Game—Fisheries—Forestry to consist of 30 members.

Highways and Motor Vehicles to consist of 30 members.

Insurance to consist of 30 members.

Judiciary General to consist of 30 members.

Labor Relations to consist of 30 members.

Law and Order to consist of 30 members.

Military Affairs to consist of 30 members.

Mines and Mining to consist of 30 members.

Municipal Corporations to consist of 30 members.

Public Health and Sanitation to consist of 30 members.

Public Utilities to consist of 30 members.

State Government to consist of 30 members.

Ways and Means to consist of 30 members.

Welfare to consist of 30 members.

Workmen's Compensation to consist of 30 members.

The floor leaders of the two major political parties shall be ex-officio members of all standing committees without the right to vote and shall be excepted from any limitation as to the number of members appointed to any committee."

HERBERT P. SORG
LLOYD H. WOOD
FRANKLIN LICHTENWALTER
THOS. B. STOCKHAM
JOHN H. McKINNEY
JAMES E. LOVETT
H. G. ANDREWS

On the question,

Will the House adopt the resolution?

Mr. FREED. Mr. Speaker, since I did not know the number of the resolution that is referred to, is it the one dealing with the instructions to the next House as to the make up of the Committees? Is that the resolution?

The SPEAKER. That is the report of the Select Committee.

Mr. FREED. Mr. Speaker, in this resolution the way I understand it, you are going to have fewer committees, or your next House will have less committees than you have at the present time. My reason for rising is that I am under the impression that we on these different committees did not have any trouble in this particular session as to the over-lapping of committees, due to the number of bills that had been offered to the said committees. I believe everyone in this House will agree that we had but one day in the first three or four months when we did have any particular meetings, and it is my impression that the choking up or the over-lapping was caused by trying to be busy on one morning of a week of the session. If that is true then our trouble is not an over abundance of committee meetings or committees.

I want to say that I as one on this side of the House definitely was not in favor of the bills that were handled in this House, or how they were handled. You can go back in your Legislative Journal in the early part of the session and you will read there that I, Tilghman Freed, asked who "the powers that be" are, and when I asked who "the powers that be" are, I definitely meant that. At this time I am still at a loss to know who "the powers that be" are in person. I very well know the effects of the powers that be so far as bills out of committee is concerned. I as a member in three different terms that I have been here have always felt that when a bill goes into the hopper, is given to the Chairman of a committee he is the custodian of the bill, and it is then presented to the committee. In saying that I believe that most of you must agree with me that that is your own case, that bills were not presented to the Committee.

I would like at this time to interrogate a few of the Members of the House if I may.

The SPEAKER. How many Members does the gentleman desire to interrogate?

Mr. FREED. Mr. Speaker, if I interrogate all I have on my list I will interrogate seven. I will not take up much of your time, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. FREED. The first gentleman I would like to interrogate is the gentleman from Wyoming, Mr. Greenwood.

The SPEAKER. The gentleman is not present in the House.

Mr. FREED. I would like then to interrogate the gentleman from Cameron, Mr. Huntley.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. HUNTLEY. I shall, Mr. Speaker.

Mr. FREED. Mr. Huntley, are you Chairman of a Committee?

Mr. HUNTLEY. I am.

Mr. FREED. Do you mind telling us what Committee you are chairman of?

Mr. HUNTLEY. Law and Order.

Mr. FREED. Has it been your experience that the overlapping has caused great trouble in bringing bills out of that committee?

Mr. HUNTLEY. I do not understand the question, Mr. Speaker.

Mr. FREED. The question is, has the trouble been that there has been overlapping of committees that kept you from bringing bills into the committee?

Mr. HUNTLEY. I cannot just hear the gentleman.

Mr. FREED. The question is, has the overlapping of the committees, meaning when committee meetings were at the same hour of the day, prevented you from bringing the bills up that were in your possession?

Mr. HUNTLEY. There has been overlapping of the rooms; is that what you mean? There has been overlapping in the use of the rooms that committee meetings are held in? Meetings could possibly have been set at some other time, but only at great inconvenience.

Mr. FREED. Then the gentleman has read the inscription on the ceiling of the hall that says "Ye shall know

the truth and the truth shall make you free". That is all.

Mr. HUNTLEY. Yes, I have read that.

Mr. FREED. Mr. Speaker, I desire to interrogate the gentleman from Bucks, Mr. Yeakel.

The SPEAKER. Will the gentleman from Bucks permit himself to be interrogated?

Mr. YEAKEL. I shall, Mr. Speaker.

Mr. FREED. You are Chairman of a Committee, Mr. Yeakel?

Mr. YEAKEL. That is right.

Mr. FREED. Will you kindly tell us of what committee you are chairman?

Mr. YEAKEL. Corporations and Industry.

Mr. FREED. May I ask if at any time you have had any trouble calling a committee meeting during this session?

Mr. YEAKEL. Well, I may have an exceptionally hard committee. There has not been one hundred per cent attendance as far as that is concerned.

Mr. FREED. Mr. Yeakel, may I ask you, did you always have a quorum?

Mr. YEAKEL. That is one thing, I always had a quorum.

Mr. FREED. At no time did the number of committee meetings interfere with your calling a meeting?

Mr. YEAKEL. Well, I personally with my own committee did not have any particular trouble.

Mr. FREED. I thank the gentleman.

Mr. Speaker, I desire to interrogate the gentleman from Butler, Mr. McClester.

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. McCLESTER. I shall, Mr. Speaker.

Mr. FREED. You are a Chairman of a committee, are you not?

Mr. McCLESTER. I am chairman of the Third Class Cities Committee.

Mr. FREED. Have you had any trouble in holding your committee meetings due to other committee meetings at that time?

Mr. McCLESTER. Well, you ought to know a lot about that. You were vice-chairman of the committee.

Mr. FREED. Have any bills been held back, and particular bills in your committee due to the overlapping?

Mr. McCLESTER. Well, there may have been. I would not just be in a position, without going over the minutes of the Committee for the entire session and checking up with my secretary, and he has already turned his books in, so I do not think I would be in position to answer that question intelligently.

Mr. FREED. All right, I do not want to reveal any inside stuff.

Mr. Speaker, I should like to interrogate the gentleman from Clearfield, Mr. Krise, chairman of the Banking Committee.

The SPEAKER. Will the gentleman from Clearfield permit himself to be interropated?

Mr. KRISE. I shall, Mr. Speaker.

Mr. FREED. Mr. Krise, being a member of that same Committee of Banking, may I ask you what percentage of bills was not taken up in your committee?

Mr. KRISE. What percentage was not taken up in the Committee? None. We have reported out every bill that has been in the committee.

Mr. FREED. That's what I wanted. Every bill was taken up in the Banking Committee that you had.

Mr. Speaker, I will take the last one, the gentleman from Indiana, Mr. McMillen.

The SPEAKER. The Chair does not see the gentleman in the hall of the House.

Mr. FREED. Mr. Speaker, I definitely feel that our trouble has not been overlapping at all. I feel that we should not recommend to the next Legislature, whoever may be here, I may not be here, nevertheless we should not recommend to them that this was our trouble, because whoever those powers that be are know definitely what the trouble was. It was not this overlapping.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Freed.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. FREED. I shall, Mr. Speaker.

Mr. ROSE. Has the gentleman learned whether Mr. David Harris is one of the powers that be?

Mr. FREED. That is a little over the side-lines.

Mr. ROSE. I was informed very distinctly that he never gave out orders. I was wondering whether he did not ever give out orders to anybody in this House?

Mr. FREED. I cannot answer that.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Freed.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. FREED. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Did I understand the gentleman to say that he has been here all this time and he still does not know who the powers that be are?

Mr. FREED. I can answer you that, I traveled every wing in this Capitol to find them. I refer you to the inscription at the top, "Ye shall know the truth and the truth shall make you free."

Mr. HEATHERINGTON. Mr. Speaker, I want to inform the gentleman that two years from now when we are in power on this side, if the gentleman comes over the first day I will tell him who the powers that be are.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

RECALLING HOUSE BILL No. 1001 FROM THE GOVERNOR

Mr. SORG offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 5, 1945.

Resolved (if the Senate concurs), That House Bill No. 1001, Printer's No. 432, entitled "An act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State

Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education," be recalled from the Governor for further consideration and amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. LONGO asked and obtained unanimous consent to address the House.

Mr. Speaker, I beg your kind indulgence for a few moments. All of us are hilarious over the fact that tonight we hope to adjourn this session. It is my great privilege tonight as a representative of the Democratic Members of the House of Representatives to make a presentation to a Member of this House who the Democratic Members believe has been the most valuable Member of the House in regard to all the legislation that has been passed so far as Democratic policies are concerned.

The Member to who this gift is awarded, through his cooperation with the Minority Leader of the House is undoubtedly responsible for the great progress that has been made. It is because of his great ability, because of his diplomacy that many of the controversial matters that were argued before the House were ironed out to the satisfaction of both parties in this House.

We are cognizant of the fact that the receiver of this gift has spent many industrious hours analyzing and extracting all of the meat from the bills that were presented in the House and presented for action. He has undoubtedly been a guiding light in all respects in the great problems that have been presented by both parties. His diplomacy has been shown many times over and over again, by being able to meet with the Majority Leader of the House and the Speaker of the House and the sponsors of the many measures that were presented, and through his industry has been able to save many hours of time to the Members, as well as to present a great satisfaction to all of us.

Therefore, Mr. Speaker, in behalf of the Democratic Members of the House, it is my great privilege to request that the Honorable Reuben E. Cohen, the great cooperator with our Minority Leader, be presented at the well of the House to receive a gift, which carries with it the respect and admiration of all the Democratic Members on this side of the House. I am sure that the members of the Republican party will join with us when we present this gift to him in saying that it is with the good wishes of all, that it is unanimous.

There is one condition attached to this gift, and that is with the funds provided, Mr. and Mrs. Cohen will purchase something that will be remembered by them for many years, as we will remember the great work he has done for us.

Mr. Cohen, in behalf of the Democratic Members it is my great pleasure to present this gift to you in their behalf.

Mr. COHEN. Mr. Speaker, I wish it were the Post War Planning Commission that is the subject of debate—I could find something to say. I might let you in on a secret, all the Members, particularly on the Democratic side, among the very select number of boys over at 1022 or 1810 on Monday night it has been my distinct privilege and pleasure to tell the boys just what was needed in the House for the coming week, and then I just proceeded to take their contributions painlessly.

It is gratifying to find that the rest of the Members were let in on this business rather easily, because 1022 and 1810 represent a great amount of labor and the loss of a great amount of sleep.

I do want to say to the Members on this side of the House that the opportunity you gave me to serve has been repaid to me many times through the fact that I have been able to learn a great deal.

Just taking an interest in things generally is something, but having the chance and the responsibility, I suppose, of having to do an awful lot, means a great deal to one's learning and education.

I was happy to have done the job. If I made mistakes I am very happy because it is human to err, and I trust that the leadership I may have exhibited, together with Hi Andrews may be the leading light that will lead the party on to greater things in years to come. If we have established a record, and I have been able to help it along, and if we come back at the next session, we will be very hospitable to the other side, and I will feel rather happy for the opportunity and privilege of having done so.

The SPEAKER. The Chair also wishes to congratulate the gentleman from Philadelphia, Mr. Cohen.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1002

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties.

And has appointed Messrs. Homsher, Wagner and Barr a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subpect of the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1002

Mr. SORG. Mr. Speaker, I move that a Committee of Conference be appointed on House Bill No. 1002.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 1002, Messrs. Sorg, Watkins and Cohen.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

REPORT FROM COMMITTEE ON RULES

Mr. SORG offered a report from the Committee on Rules.

The report was read by the Clerk as follows:

In the House of Representatives, May 5, 1945.

Resolved (if the Senate concurs), That this 136th regular session of the General Assembly adjourn sine die Saturday, May 5, 1945 at 11:30 o'clock p. m.

Committee on Rules:

FRANKLIN H. LICHTENWALTER
LLOYD H. WOOD
WILSON L. YEAKEL
HERBERT P. SORG
D. RAYMOND SOLLENBERGER

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, I rise to enter my individual protest against the adoption of this resolution. We have been proceeding happily during the last few hours on the assumption that we would quit when the work was done. In order to reach this point we have neglected some very important business. I do not know just when the things that are before this House can be brought to a successful termination. I know that a meeting of the Democratic Members of the House will be called into caucus on a very important subject. I have no assurance that the matter on which they will caucus will be brought to a successful conclusion. I see no reason why an arbitrary hour, an arbitrary day, an arbitrary minute should be fixed for adjournment. This House can recess from time to time without changing the legislative day, and I believe we can recess for an hour or for two hours or three hours or five hours or ten hours, and there is no reason, no sound reason for this arbitrary fixing of a minute when these——

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TURNER. Mr. Speaker, a motion to adjourn is not debatable.

Mr. ANDREWS. Mr. Speaker, I submit that a motion to adjourn at a particular time is debatable.

The SPEAKER. The Chair rules that the sine die resolution is the main question before the House and is debatable. The gentleman from Cambria will proceed.

Mr. ANDREWS. Mr. Speaker, that is a point that the gentleman from Delaware well knows, because it is a point that I debated on the floor of this House when he was Speaker.

Mr. Speaker, I will not have very much to say unless goaded into eloquence by the persistence of the gentleman from Delaware who hangs upon my flank like an objectionable gadfly. I will say that at this late day in his career, if his memory has failed him he has forgotten the parliamentary law he once possessed, I will very gladly give him a lesson.

I seriously enter my personal protest against fixing the particular hour at which we adjourn sine die, because I believe a more suitable process would be to recess if the business of this House makes it necessary. As the matter now stands if a contingency arises it may protract the session, or somehow drag it into Sunday when sheer weariness will force a close in our deliberations.

QUESTION OF INFORMATION

Mr. LEONARD. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. LEONARD. Is there anybody in charge of the House here who knows whether or not we can get done before tomorrow morning? Can that question be answered?

The SPEAKER. There is nothing in order but the calling of the roll on the resolution.

Mr. LEONARD. Mr. Speaker, I don't want to vote for this resolution if I have got to sit around here all night.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Moran and Mr. Petrosky and were as follows:

YEAS—112

Baker,	Freed,	Lichtenwalter,	Royer,
Barton,	Frost,	Loftus,	Salus,
Baumunk,	Fullerton,	Lyons,	Serrill,
Bonawitz,	Gardner,	Madden,	Shoemaker,
Boorse,	Getchey,	Madigan,	Sloan,
Bower,	Gibson,	Mahany,	Smith,
Breisch,	Goodling,	McAtee,	Snyder,
Brice,	Greenwood,	McClester,	Sollenberger,
Brunner, C. H.,	Greer,	McCormack,	Sorg,
Cadwalader,	Guthrie,	McDowell,	Stockham,
Coleman,	Gyger,	McKinney,	Stonier,
Cook,	Hall,	McMillen,	Stuart,
Cooper,	Hare,	Mikula,	Tahl,
Costa,	Haudenshield,	Miller,	Tittle,
Coulson,	Helm,	Milliken,	Trout,
Dague,	Hewitt,	Moore, C. E.,	Turbett,
Dalrymple,	Hoffman,	Moser,	Turner,
Dennison,	Hoopes,	Murray, P. G.,	Wachhaus,
Depuy,	Howells,	Nelson,	Wagner,
Dix,	Huntley,	O'Dare,	Waterhouse,
Dye,	James,	Pickens,	Watkins,
Elder,	Kennedy,	Propert,	Welsh,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Fiss, Speaker.

NAYS—90

Andrews,	Grant,	McNally,	Readinger,
Barrett,	Green,	Mihm,	Reese, R. E.,
Bentzel,	Haberlen,	Mills,	Reidenbach,
Boney,	Hamilton,	Modell,	Reynolds,
Brancato,	Heatherington,	Mooney,	Rose,
Brothers,	Hennihan,	Moore, W. J.,	Rudisill,
Brown,	Hering,	Moran,	Scanlon,
Brunner, P. A.,	Herman,	Munley,	Schuster,

Burns,	Hersch,	Murray, M. L.,	Shaffer,
Chervenak,	Hunter,	Myhan,	Skale,
Chudoff,	Jones,	Nagel,	Snider,
Cohen,	Kirley,	O'Brien,	Stank,
Corrigan,	Kolankiewicz,	O'Connor,	Swope,
Coyle,	Komorofski,	O'Donnell,	Tate,
Cullen,	Lane,	O'Neill,	Trachtman,
Dillon,	Leonard,	Owens,	Trent,
Dougherty,	Levy,	Pentrack,	Varallo,
Duffy,	Longo,	Petrosky,	Verona,
Elish,	Lopez,	Pettigrew,	Weiss,
Finnerty,	Lovett	Polaski,	White,
Gaffney,	Matthews,	Polen,	Wright,
Gallagher,	McLanahan,	Powers,	Yester,
Gore,	McNair,		

NOT VOTING—5

Bentley,	Boory,	Hoggard,	Regan,
Boies,			

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

The SPEAKER. The Minority Leader has requested a recess for thirty minutes to hold a Democratic caucus in the old House caucus room.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for thirty minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 143.

An Act making a deficiency appropriation to aid certain school districts

HOUSE BILL No. 300.

An Act to amend section eight hundred thirteen of the act, approved the eighteenth day of May, one thousand nine nundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation therefor; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by allowing members of county board of school directors expenses for attendance at meetings.

HOUSE BILL No.. 417.

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park

HOUSE BILL No. 496.

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

HOUSE BILL No. 580.

An Act to further amend the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by further extending the powers and duties of county commissioners or boards of revisions of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year or years.

HOUSE BILL No. 610.

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children

HOUSE BILL No. 632.

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed.

HOUSE BILL No. 717.

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

HOUSE BILL No. 734.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims

not filed withi nthe time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

HOUSE BILL No. 755.

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year

HOUSE BILL No. 808.

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission

HOUSE BILL No. 856.

An Act to amend section one of the act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" by changing the fees to be allowed the said district attorney

HOUSE BILL No. 870.

An Act to further amend section fifteen and to add section fifteen and one-tenth to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals under supervision of the courts of common pleas

HOUSE BILL No. 878.

An Act to further amend sections three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" by further providing for the distribution of the proceeds of such reconveyance or sale

HOUSE BILL No. 1120.

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor

HOUSE BILL No. 1141.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Commission instead of the Department of Public Instruction

HOUSE BILL No. 641.

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and and irrespective of any limitations of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision and providing for the execution delivery and recording of such release or disclaimer

HOUSE BILL No. 977.

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

HOUSE BILL No. 583.

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or

mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectmen proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement

With the information that the Senate has passed the same without amendment.

RESOLUTIONS

EMPLOYES OF STATE PENAL INSTITUTIONS

Messrs. REYNOLDS and McNALLY offered a resolution and asked and obtained unanimous consent to have it read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 5, 1945.

Many of the employes of the State penal and correctional institutions are obliged to work on holidays which is a hardship in many respects, yet the hardship is borne by such employes in good grace.

However, it has been the custom not to give these employes other days off which would in part compensate for the holidays they are required to work; therefore be it

Resolved, That the Secretary of the Department of Welfare shall hereafter provide that all employes of State penal and correctional institutions, required to work on holidays, shall within the week following such holiday, be given a day off in its stead, without diminution of salary or compensation. as these employes stand high in their loyalty and devotion to their tasks and duties; and be it further

Resolved, That the Chief Clerk of the House transmit a copy of this resolutiin to the Secretary of Welfare of this Commonwealth.

The SPEAKER. The resolution lies over for printing under the Rules.

REGISTERED NURSES AID CORPS

Messrs. REIDENBACH, O'NEILL and MUNLEY offered a resolution and asked and obtained unanimous consent to have it read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 5, 1945.

War—with its urgent and inexhaustible demands—has reached nearly every one. First, the demand for men—for soldiers, sailors, marines, aviators and others—demands that were most imperative!

Then there were demands for women in auxiliary capacities, and finally the most persistent and evident demands for nurses—nurses and more nurses, until the remaining nurses not called into the services were insufficient to continue the safe operation of the hospitals at home. During this period, the hospitals made sincere appeals for volunteers to help in the hospital work. Volunteers were asked to help, if even only for an hour or so. This appeal was understood and many volunteered their services. There were business, professional and industrial workers who volunteered their services. They worked in hospital wards; nights, Saturdays and Sundays. There were many wives, mothers and relatives of members in the armed forces who served in the mornings and evenings during week-days and every free hour they could spare. There were some volunteer aides who worked full days through months on end; and in addition to giving their time without compensation, they also bought their own uniforms. They were the enthusiastic, willing, efficient, unselfish and patriotic women who devoted their spare time and efforts to relieve nurses to care for our wounded and sick veterans.

Among this group of loyal and devoted women were the resident volunteer nurse aides of the Scranton State, the Hahnemann, Moses Taylor, West Side, Mercy and St. Mary's Hospitals in Scranton and the Taylor Hospital at Taylor, the Midvalley at Oliphant and St. Joseph's Hospital at Carbondale.

However, all of this volunteer work could never have been done except for the inspiration and the indefatigable efforts of Mrs. Jas. A. Linen, Jr., who was Chairman of the Scranton Registered Nurses Aid Corps; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby pay tribute to the loyal devotion of all the members of the Registered Nurses Aid Corps; and be it further

Resolved, That the Chief Clerk of the House of Representatives send a copy of this resolution to each of the above named hospitals and to Mrs. Jas. A. Linen, Jr.

The SPEAKER. The resolution will lie over for printing under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. DIX asked and obtained unanimous consent to address the House.

Mr. Speaker, having served a number of years as a cub reporter on the newspaper and realizing the great amount of work that the Reporters of the House here have done during the past session, I would like to call attention to their services.

The Members of the House may have observed these men at their work. They have done it quietly and efficiently, and I think that all the Members would like to show some appreciation for the services they have rendered. I refer to the Reporters of the House of Representatives, who compile the Journal of the House. I am sure that the Members are very thankful for the services these men have rendered. Would the Reporters stand up so that all the Members can see them?

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday afternoon when we had about concluded the ceremonial program in which we were engaged there appeared at the portals of this Hall the heralds of an approaching potentate. By the golden horns they bore and the costly raiment they wore we easily recognized them as the vassals of His Eminence the Clerk of the Senate of the great Commonwealth of Pennsylvania. On the trumpet call to attention, the Members of the House arose in respectful silence as His Eminence entered into the well of the House.

I happened to be presiding at that time, and after the usual formal exchange of greetings His Eminence placed a gift in the hands of the House and departed. But being in this awesome presence I now confess that I lost both my memory and my tongue, and failed to conclude the ceremonies of which I had charge. I overlooked the presentation of a resolution that had been prepared in commendation of services will rendered, and so to repair the damage for which I am to blame I now yield to the gentleman from Dauphin, Mr. Reese.

RESOLUTION

CONGRATULATING "MASTER PRINTER"

Mr. DAVID P. REESE, Jr. offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 5, 1945.

The "Wizard of the Printery" of 1943 has become the "Magician of Printing" of 1945. With less help and a scarcity of every element entering into the printing necessary to keep the General Assembly functioning, he has performed miracles.

The outside world little knows how much the House and Senate depend upon the output of the printing press, nor do they understand the heavy weight of responsibility resting upon the man charged with the production and delivery of printed bills, resolutions and conference reports.

If the printing stops or slows up, the General Assembly stops or slows up, so the speed of its progress and the time of its adjournment depends in great measure upon Frederick E. Braggins who was awarded the Degree of "Master Printer" by this House at the conclusion of the Session of 1943; therefore be it

Resolved, That this House is of the opinion that the "Master Printer" has sustained the reputation he won at that session, and it therefore fully endorses the action taken by the preceding House and grants to him the further use of the Degree and the enjoyment of all the honors and privileges attendant therewith, and in evidence of his right and authority to be so called and addressed, it requests the Chief Clerk of the House to transmit to him a copy of this resolution.

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, I am reminded by the reading of the resolution that talent is where you find it. I long since had given up hope that I might find talent or that any of us might find talent of unusual character within the halls of the House, because every thing of course has been on the basis of oratory. It never occurred to me that there might be a musician here of such outstanding talent, and therefore, I believe the Members of this House should know that the band that was organized and rendered the classic numbers in the Hall the other day was organized by the gentleman from Dauphin, Mr. Tittle, to whom I know the thanks of the Housue and particularly the thanks of His Eminence are given.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Tittle.

Mr. TITTLE. Mr. Speaker, standing before this august body——

The SPEAKER. He is making a speech.

Mr. TITTLE. ——and unaccumstomed as I am to public speaking, I thank you.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 62

Mr. LLOYD H. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 62, Printer's No. 790.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 62, entitled: "An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled 'An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth * * *' as last amended by imposing an additional tax on liquid fuels; providing for the payment thereof into the Motor License Fund; making appropriations; and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions; making an appropriation to the Joint State Government Commission for certain purposes and imposing duties on the Department of Highways."

Respectfully submit the following bill as our report:

John G. Snowden,
Edwin S. Bowers,
John H. Dent,
(Committee on the part of the Senate.)

Lloyd H. Wood,
Baker Royer,
Harry P. O'Neill,
(Committee on the part of the House of Representatives.)

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels for a limited time pro-

viding for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions and imposing duties on the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and section ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those therein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by amending section four as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 616) and section ten as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 634) to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States provided that the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional [emergency] State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period [for the period] beginning on the day this act becomes effective [and ending on the thirty-first day of May one thousand nine hundred and forty-five] and ending on the thirty-first day of May one thousand nine hundred and forty-seven

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional [emergency] tax of one cent per gallon or fractional part thereof collected under the provisions of this act [before June first one thousand nine hundred thirty-six] shall be paid into the [State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund] Motor License Fund and the following amounts thereof are hereby specifically appropriated for the two calendar years beginning the first day of January one thousand nine hundred forty-six for the purposes and in the manner as hereinafter set forth

Eight million five hundred thousand dollars shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated and apportioned among the said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

Eight million five hundred thousand dollars shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each such unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made

The calculation of mileage shall be determined annually by the Department of Highways of the Commonwealth from reports submitted by the cities boroughs towns and townships The term "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The moneys so appropriated allocated and apportioned herein from the Motor License Fund shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned for Federal projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges

The corporate authorities of the said political subdivisions shall at the time of fixing the real estate tax rate for highway road and street purposes for the calendar years one thousand nine hundred and forty-six and one thousand nine hundred and forty-seven give consideration to the anticipated revenue to be received under the provisions of this act

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-five

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ANDREWS. Mr. Speaker, this I believe is the gas tax bill, the emergency penny. It started out as a relief mesure and continued in this administration as a relief measure—as a relief measure for municipalities, for political subdivisions, but operating only in part as a relief measure for the political subdivisions.

In the beginning the Executive, I believe, wanted to filch four mills out of the relief money for a motor license surplus fund which had been swelled to unusual proportions. This House in its wisdom decided to continue the Earle relief penny as a full penny for political subdivisions and it said to the Executive, "We won't give you four mills out of this penny. We will use five mills for the cities of the first class, we will use five mills for the townships and we will spend this relief penny where relief is needed."

Then what the gentleman from Lehigh calls "the powers that be" began to work. This relief penny bill reached the Senate, and the Senate, in its wisdom decided it would have to have a part of this relief penny for the Motor License Fund and so the bill comes back, and I surveyed many a bloody legislative head on the other side of the House.

What has become, gentlemen, of the Gallant Thirty? Here we are, left high and dry. Emissaries from the midst of the usually compact Republican majority came to us saying, "We have got thirty votes, you have got ninety votes. We'll bring the Governor to time and we'll stay here until hell freezes over, but we'll have this whole penny for the political subdivisions." And we, with naive faith in a newborn Republican independence said "Sure, we'll stay here Saturday, we'll stay here Sunday, we will stay here Monday if we can get a few more millions for the cities that need relief, for the townships that need funds." And we said that in good faith. But lo and behold! "the powers that be" operate. The magnificent leadership of the gentleman from Lehigh and various other gentleman were called to the Governor's office and quietly notified that, "You'll either get in line or I'll call your county leaders and I'll sick them on you and if I don't get part of this penny you won't come back." The Gallant Thirty folds.

I wonder if it would not be possible to have the heroes of what promised to be a new political Thermopylae stand to be counted. After the beating they got in their caucus I do not believe any of them could stand. But anyway, gentlemen, you have got the votes and we still have the principle for which we originally stood, and that was that the full measure of this relief penny should go back to the political subdivisions that needed the relief, but practically all that is left for us is to emulate the Gallant Thirty and say a meek "Yes" or to voice an ineffective "No".

Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Baker.

Mr. BAKER. Mr. Speaker, the Minority Floor Leader has outlined the decision of this side very firmly. We in Pittsburgh, or the Democrats from Pittsburgh and Allegheny County feel that being the second largest contributors to the coffers of the state, we are being treated in this late hour on this House Bill 62 very shabbily; the City of Pittsburgh is being cheated. We feel that the Republican boys, the Republican Members from Allegheny County should have prevailed upon their leadership in this administration to show the taxpayers back home that they really have something at heart for their welfare back in Allegheny County and the City of Pittsburgh.

Time and again during this session we have listened to what they can do and what they are going to do and when

the time arrives and presents itself we find that they have slipped in their administration and slipped very badly. In this late hour, in the dying hours of this session we from Pittsburgh and Allegheny County are going to support and concur in the amendments of the Senate, but I trust that the men on the other side will take to heart the welfare of the taxpayer back home.

Mr. COHEN. Mr. Speaker, when House Bill 62 was debated on this side—rather the House voted on the apportionment of this one cent gasoline tax that would be given to the first taxpayer of Pennsylvania, Philadelphia, a fair and equitable share of this money. We would have received close to one million dollars. Of course, we in Philadelphia are happy to get this money, and the nine Republican Members from Philadelphia did a rather nifty job. So they could say back home "We got a million dollars to help out our budget", but Dave Harris and the Nifty Nine Ball Club sat back while the Gallant Thirty went over and met their Waterloo. The Nifty Nine sat back and watched the Chief Executive who was pitching, throw three fast ones, passed them right over the heart of the plate, and take away close to five hundred thousand dollars from Philadelphia under this plan that is now being handed your biggest taxpayer. But, of course, our budget in Philadelphia is pretty shaky; it is going to get worse, and perhaps we should be thankful for little gifts. The Dave Harris ball club will never get into the World's Series if they can't run down the stretch any better than they showed here tonight. The Gallant Thirty carried the ball, and I don't think the Nifty Nine was even in the grandstand, they must have been down with the boys, while they took half a million dollars away from Dave Harris' team.

We hope when we get back here two years from now that the Nifty Nine will have been read out of the League and that we will get some representation on this side that will stand up and fight and see no Waterloo, but will prevail, and that Philadelphia will get the money to which it is justly entitled.

Mr. LEVY. Mr. Speaker, unlike the Minority Leader and the gentleman from Philadelphia, Mr. Cohen, I do not want to condemn the Gallant Thirty too much, but I do recall, gentlemen, and I think it is serious, that in the last Presidential campaign I happened to have heard the Governor of the Commonwealth make one of his campaign contributions in an oratorical way for the election of Governor Dewey of New York to the Presidency, and in one of those speeches he called for the end of one-man government. I say to you Members of the House, I cannot condemn the thirty gallant heroes. After all Pennsylvania, at least in this session has had a real semblance of one-man government, and I want to make public this statement: that we on this side of the House know that the Governor of the Commonwealth gave the Republican caucus an ultimatum that if the Gallant Thirty did not walk down the middle aisle, followed the leadership, that there would not be a one cent tax and there would not be any contributions to political subdivisions. That is all.

Mr. O'BRIEN. Mr. Speaker, I want to say as one born in Philadelphia, that I am going further in my protest against adopting this report by voting against concurrence in the Senate amendments.

It has been said that possibly Governor Martin might represent Santa Claus from the fact that he is giving to the City of Philadelphia a little pittance in the way of some five hundred thousand dollars. Under this bill, in spite of the fact that there is something over fifty million dollars surplus in the Motor Fund and something like nine million dollars to be divided or distributed throughout the State, we of Philadelphia, of those nine million dollars contributed better than thirty per cent, and in our five hundred thousand dollar pittance, we are getting something like five or six per cent in return.

We feel, and justifiably so, that we have to protest. I am protesting by refusing to vote for the concurrence in the Senate amendments.

Mr. LLOYD H. WOOD. Mr. Speaker, after listening to four or five from the Reluctant Dragon I am reminded of the man who lost five dollars on his person, and instead of finding it in his vest pocket found it in his hip pocket.

I do not know that it is encumbent upon me to reply to what has been said on the other side of the House. This Thirty they talk about and the so-called Nifty Nine I do not know whether it is a figment of the imagination or not, but I would like to direct the attention of the gentlemen on the other side that our majority is very narrow, we only have one hundred nine Members, and if there have been ninety on that side that have been conspiring with thirty on this side I would like to know when the conspiracy originated, where the meetings were held, and when. The Minority Floor Leader, I remember when I was serving my first term here, called me, I think, a sixteen inch siege gun to kill a sparrow or something like that, and when this chamber was presided over by the gentleman from Delaware, he sort of took advantage of me. Mr. McClester and I were sitting back there——

Mr. ANDREWS. Would the gentleman yield for a question?

Mr. LLOYD H. WOOD. I will yield, Mr. Speaker, for anything, even a good drink of coke.

Mr. ANDREWS. If the gentleman wants to get the names of the Gallant Thirty, if he will look right over there I think he will see a man who will give him every doggone name.

Mr. LLOYD H. WOOD. Mr. Speaker, in reply to the Minority Floor Leader, I still wish to plead surprise.

As I was about to say, Mr. McClester and I were engaged in a conversation on the day when the bill for the allocation, in the 1939 Session, of eight million five hundred thousand dollars was up for consideration. I was inexperienced enough to feel that I was going to be one of the principal participants in the debate on our side of the House on that occasion, so as soon as the bill was called up for consideration—and I am sure the Speaker will recall, because at that time he was sitting at about where the gentleman from Chester, Mr. Gyger, is now sitting, it looked like an asparagus patch all over the House, everybody clamoring to lend his voice to the favorable consideration of that measure. So I felt a little bit taken back and I turned around to the gentleman from Butler, Mr. McClester, and we talked about crops and better hogs and one thing and another, so someone slipped down to the Speaker and said he should call on me, that I had a speech to make. It just happened that the Minority Floor Leader had finished making—not complimentary remarks, but he certainly did not add anything to the prestige of the

second class township supervisors, so the Speaker called upon me to make a few remarks where the uncomplimentary things had been said by the now Minority Floor Leader, so all I can say in connection with his uncomplimentary remarks on this first stanza of the Reluctant Dragon is that is that he seems to have had a change of heart. He now says he subscribes to the principle that they should give more money than eight million five hundred thousand dollars back to the second class townships to be distributed and expended for repairs and reconstruction and construction and so forth to second class township supervisors.

The gentleman from Allegheny, Mr. Baker, gets up and complains that the Republican Members from Allegheny County have sort of left everybody down as far as Allegheny County is concerned. Well now, as we examine the record I do not think that Willian Penn has been too unkind to his children out in Allegheny County. Pittsburgh, I believe, has received fifty million dollars, and we move on over to Philadelphia; they have received fifty million dollars in their new bridge program, and in addition to that they have also received four hundred fifty thousand dollars for the approaches, in order to put the program over, and so you could go on, Mr. Speaker, narrating things that Brother Penn has done to try to take care of all his children.

Someone got up and took a pot shot at the Governor about his attitude in the expenditure of the tax money, particularly the one cent tax to the political subdivisions. I can say this, that within the past forty-eight or seventy-two hours I had the pleasure of being in the company of the Governor with fifteen or twenty other persons, and I heard the Governor say that he was one of the first—as a matter of fact he took credit for the Parkinson Act which was one of the first measures enacted in the General Assembly for the benefit of the second class townships. So I do not know who is being accused of what. It appears to me that everybody is going to more or less—with maybe half a dozen exceptions—vote for this measure.

I will admit that there are possibly people back in my district that will not be satisfied, but I think I express the thing accurately when I say that after all, after eight years as a Member of this House, I have learned that you cannot always get everything you might feel that you are rightfully entitled to get. I am not here to say that this is an equitable distribution.

We are going to study this thing for a couple more years, Mr. Speaker, to try to arrive at a conclusion as to where we can hand out in the best possible and most equitable manner this money to the political subdivisions of the Commonwealth. There certainly would never be a desire on the part of any Member to arbitrarily withhold from the political subdivisions the moneys they are rightfully entitled to.

So I would not say that I am singing the last stanza to the Reluctant Dragon, but whatever the picture may be I think we can all go home and at least say we are bringing home a chunk of cake, and as far as the second class townships are concerned, they are getting a little larger chunk of cake than in the last biennium, and the other subdivisions can say they are receiving some cake where they got no cake before.

The SPEAKER. If there is no objection the chair will postpone final action on the report of the Committee until it has been printed. Is there objection? The Chair hears none.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 31.

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land and for the construction of a Governor's Mansion

SENATE BILL No. 37.

An Act fixing the fees of the recorder of deeds in counties of the fifth class

SENATE BILL No. 44.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

SENATE BILL No. 61.

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

SENATE BILL No. 65.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

SENATE BILL No. 66.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

SENATE BILL No. 103.

An Act making an appropriation to the Department of Property and Supplies for additions repairs and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie

SENATE BILL No. 144.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of

charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties

SENATE BILL No. 175.

An Act to further amend sections four ten twelve sixteen seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by further regulating boxing sparring and wrestling matches and exhibitions

SENATE BILL No. 231.

An Act to amend section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities person association or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" providing for and regulating the change of width grade lines or location of state highways in such cities the ascertainment and assessment of damages and benefits to abutting property in connection therewith and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures and making appropriations from the Motor License Fund

SENATE BILL No. 349.

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages under agreement between the Commonwealth and the institution district and authorizing the Pennsylvania Turnpike Commission to pay certain moneys into the State Treasury for the taking of certain lands

SENATE BILL No. 355.

An Act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties

SENATE BILL No. 373.

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering and the registration of barber shops barbers teachers of barbering students and apprentices

SENATE BILL No. 393.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossing of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

SENATE BILL No. 396.

An Act prescribing the powers and duties of the Department of Forest and Waters in respect to the Brandywine Battlefield and making an appropriation

SENATE BILL No. 403.

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by terminating interest on accumulated deductions on the date of separating from school service

SENATE BILL No. 573.

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

SENATE BILL No. 574.

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

SENATE BILL No. 604

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

SENATE BILL No. 723.

An Act to amend subsection (a) and further amend subsection (b) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further regulating judicial review

SENATE BILL No. 745.

An Act authorizing the Pennsylvania Historical Commission to acquire by gift or purchase and to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County providing for the control and management thereof authorizing the Pennsylvania Historical Commission to cooperate with the Federal Government or any agency thereof or with other organizations and making an appropriation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 523, as follows:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Local Tax Collection Law"

Section 2 Definitions The words

"Tax Collector" shall include every person duly elected or appointed to collect all taxes levied by any political subdivision included in the provisions of this act including the treasurers of cities of the third class and of townships of the first class in their capacity as collectors of taxes

"Taxing district" include counties (except counties of the first or second class) county institution districts (except in counties of the second class) cities of the third class boroughs towns townships and school districts of the second third and fourth classes and vocational school districts

Section 3 Application of Act (a) All of the provisions of this act relating to county taxes shall also without specific reference thereto relate and apply to county institution district taxes except in counties of the second class

(b) All of the provisions of this act shall apply to all taxes covered by the provisions of this act heretofore levied and remaining uncollected as well as to all such taxes hereafter levied

(c) None of the provisions of this act shall apply to any county of the first or second class city of the first or second class or second class A or to any school district of the first class or school district in a city of the second class A

(d) The provisions of this act shall not repeal or supply any local or special act

(e) This act does not include and shall not be construed to repeal any provisions of any law providing for the return of uncollected taxes to the county commissioners and the sale of real property bound thereby by the county treasurer or by a city treasurer nor to the entry and enforcement of liens for unpaid taxes

Section 4 (a) Bonds of Tax Collectors In cities of the third class and in townships of the first class the treasurer as tax collector for the various taxing districts shall give bond secured and conditioned as provided by the laws relating to such cities and townships

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to amount hereinbefore prescribed

(c) In boroughs towns and townships of the second class the condition of the bond shall be that the collector as tax collector for the borough town or township as the case may be and for the county and the institution school and vocational school district shall account for and pay over all taxes penalties and interest received and collected by him to the taxing districts entitled thereto

(d) The tax collector of boroughs towns and townships of the second class and his sureties shall be discharged from further liability on his bond for the taxes charged in a duplicate delivered to him as soon as all tax items contained in the said duplicate are either (1) collected and paid over to the proper taxing district or (2) certified to the taxing authority for entry as liens in the office of the prothonotary or (3) returned to the county commissioners for sale of the real estate by the county treasurer or (4) in the case of occupation poll and per capita and personal property taxes accounted for by the payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation by the tax collector that he has complied with section twenty of this act

(e) The bond given by a borough town or township tax collector shall be for the use of the borough town or township as the case may be and for the county and the institution school and vocational school district

(f) In case where a tax collector shall be appointed in a borough town or township of the second class to fill a vacancy in said office or where the elected tax collector shall have failed to qualify or to furnish bond or where a tax collector shall have failed to settle a duplicate as provided in section 31 of this act the person appointed in accordance with existing laws including an individual corporation or the county treasurer to collect such taxes shall give bond secured and conditioned as above provided where a township of the second class or a school district shall in such cases exercise its power to appoint a separate tax collector to collect its taxes such appointee shall give bond secured and conditioned as above provided

Section 5 Tax Collector's Warrant A duplicate when issued to a tax collector shall constitute his warrant for the collection of the taxes levied and assessed therein and such warrant shall remain in force until the complete settlement of all taxes in such duplicate as provided in this act This section shall be construed to apply to duplicates heretofore issued

Section 6 Notices of Taxes When any duplicate of taxes assessed is issued and delivered by any taxing district to the tax collector he shall within thirty days after receiving the tax duplicate notify every taxable whose name appears on such duplicate Such notice shall contain (1) the date of the tax notice (2) the rate or rates of taxation (3) the valuation and identification of the real property of such taxpayer (4) the occupation valuation of such taxpayer if any (5) the several amounts of real and personal property and personal taxes for which said taxpayer is liable for the current year (6) the total amount of said taxes (7) a statement that such taxes are due and payable and (8) a request for payment thereof A separate notice shall be issued for each parcel of real property of a taxable Personal property and personal taxes may be included on any one of such tax notices Such notice shall further designate a place and time where the taxes shall be paid and state the time during which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post office address of each of said taxables Any such notice may include information as to taxes levied by two or more taxing districts

The Department of Internal Affairs shall prepare a uniform form of tax notice and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

Section 7 Effect of Failure to Receive Tax Notice Failure to receive notice shall not relieve any taxpayer from the payment of any taxes imposed by any taxing district and such taxpayer shall be charged with his taxes as though he had received notice

Section 8 Affidavit as to Notice Before any allowance is made by any taxing district or by the auditing authority thereof for commissions due the tax collector he shall make an affidavit setting forth that he has complied with the provisions of this act in respect to notice to taxpayers

Section 9 Expenses Paid by Taxing Districts The expenses of postage and printing of tax notices shall be paid by the taxing districts

Section 10 Discounts Penalties All taxpayers subject to the payment of taxes assessed by any taxing district shall be entitled to a discount of two per centum from the amount of such tax upon making payment of the whole amount thereof within two months after the date of the tax notice All taxpayers who shall fail to make payment of any such taxes charged against them for four months after the date of the tax notice shall be charged a penalty of five per centum which penalty shall be added to the taxes by the tax collector and be collected by him

Section 11 Installment Payment of Taxes (a) Any taxing district shall have power to provide by ordinance or resolution for the collection and payment of its taxes in not more than four installments Where payment of taxes is made on the installment basis no abatement or discount shall be allowed on said taxes

(b) Any such ordinance or resolution shall set forth the number of installments in which taxes shall be paid and the dates when the respective installments become due and delinquent To each installment on the date when it becomes delinquent a penalty of five per centum shall be added which shall be collected by the tax collector No further penalties except as herein after provided shall be added to any installment of taxes unless one or more installments remain unpaid and the lands upon which such installments are due are returned under existing laws to the county commissioners for non-payment of taxes or in case a lien for such unpaid installment or installments is filed under existing laws in the office of

the prothonotary in which case the additional penalty or interest provided for by such existing return and lien laws shall apply

(c) The payment of the first installment by a taxpayer before the same becomes delinquent shall conclusively evidence an intention to pay his taxes on the installment plan as provided by said ordinance or resolution

Where a taxpayer shall fail to evidence an intention to pay on the installment plan as hereinbefore provided his taxes shall become due and payable and be collected as elsewhere provided in this act subject to the discounts and penalties provided thereby

Section 12 Payment of Taxes by Joint-Tenants Etc Any joint tenant tenant in common or coparcener of real property shall have the right to pay his proportionate part of the amount of taxes due thereon It shall be the duty of the tax collector to receive and receipt for the same The interest of any such joint tenant tenant in common or coparcener shall not be affected by any proceeding to enforce payment of taxes on the other interests in said land

Section 13 Collectors Required to be in Attendance The tax collector shall in person or by some person duly authorized be in attendance for the purpose of receiving and receipting for taxes on at least three days of each week during the last two weeks of the period or periods during which discounts are allowed at his residence or some other appropriate place to be designated by him in the tax notice

Section 14 Tax Receipts The tax collectors shall furnish each person on the payment of taxes from a book containing a stub or from a bill containing a stub or carbon copy to be furnished at the expense of the taxing district or districts a numbered receipt setting out the date of payment name of taxpayer the district in which the taxpayer is assessed the amount of real and personal property and personal taxes paid stated separately and in the case of taxes on real property identifying the property A separate receipt shall be issued for each parcel of real property On the stub or bill a memorandum shall be made in ink of the number of the receipt and giving the same information as was given in the receipt

Where payment of taxes is made by mail a receipt shall be required to be furnished only if the taxpayer shall enclose with the payment of a self-addressed and stamped envelope for the return of the receipt

The Department of Internal Affairs shall prepare a uniform form of tax receipt and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

Section 15 Receiving County Taxes Not Assessed and Adding Names to Duplicates Prohibited Is shall not be lawful for any county treasurer county commissioner or any tax collector nor for any other person on his or their behalf to receive payment or give any receipt for the payment of any taxes that have not been duly assessed and returns of said assessment made according to law nor shall any such treasurer commissioner or tax collector or other person on his or their behalf receive payment or give any receipt for the payment of any taxes from the collection of which the tax collector has been exonerated according to law But where the tax collector has been so exonerated such taxes shall remain payable to the taxing district Except as hereinfter otherwise provided it shall not be lawful for any county commissioner or for any other person on his behalf to add any name to the duplicate return or list of taxables made or furnished by the assessor or assistant assessors of any township ward or district

Section 16 Adding Names to Duplicates In case the tax collector or a deputy tax collector shall at any time find within the taxing district any resident or inhabitant above the age of twenty-one years whose name does not appear upon the duplicate of such taxing district he shall report the name of such person forthwith to the assessor who made the assessment used by the taxing district

The assessor shall thereupon promptly certify the said name to the taxing district which made the assessment which shall then promptly certify such name to the tax collector reporting such name Whereupon the tax collector shall add the name and assessment of such person to the duplicate of the proper taxing district and proceed to collect the tax assessed against such person as herein provided

Section 17 Distress and Sale of Goods and Chattels of Tax Payer Every tax collector shall have power in case of the neglect or refusal of any person copartnership association or corporation to make payment of the amount of any tax due by him after two months from the date of the tax notice to levy the amount of such tax any penalty due thereon and costs not exceeding costs and charges allowed constables for similar services by distress and sale of the goods and chattels of such delinquent wherever situate or found upon giving at least ten days' public notice of such sale by posting ten written or printed notices and by one advertisement in a newspaper of general circulation published in the county

No failure to demand or collect any taxes by distress and sale of goods and chattels shall invalidate any return made or lien filed for non-payment of taxes or any tax sale for the collection of taxes

Section 18 Collection of Taxes From Occupants of Real Estate by Distress Any person occupying real property shall be liable to pay all the taxes levied becoming due and payable thereon and the goods and chattels belonging to such person or belonging to any other and found on the premises shall be liable to distress and sale for the non-payment of any taxes assessed upon such real property during his possession and occupancy and remaining unpaid in like manner as if they were the goods and chattels of the owner of such real property and having so paid such taxes or any part thereof the occupant of such real property may by action of debt or otherwise recover said taxes from his landlord or person liable therefor or at his election may defalcate the amount thereof in the payment of the rent due his landlord

Section 19 Collection of Tax on Real Property Out of Rent Payable by Tenant In case any person who is the owner of real estate neglects or refuses to pay any tax levied against such real property the tax collector of such taxes may any time thereafter notify in writing the tenant in possession of any such real property that the owner thereof has failed to pay such tax and request the payment of such tax together with any penalties and interest due thereon by such tenant out of any rent money then due and owing or thereafter to become due and owing to such delinquent tax payer Upon receipt of such notice from the tax collector the tenant in possession of any such real property shall deduct from any rent that is then or may thereafter become due and owing to such delinquent owner the amount of such delinquent tax and the penalties and interest due thereon and pay the same over to the collector of such taxes The proper receipt for such taxes and penalties and interest if any paid to the tax collector by any tenant shall be a good and sufficient voucher to offset any claim that such delinquent tax payer may have against such tenant for any rent to the amount thereof

Section 20 Collection of Per Capita Poll and Occupation Taxes From Employers Etc The tax collector shall demand receive and collect from all corporations political subdivisions associations companies firms or individuals employing persons owing per capita poll or occupation taxes or having in possession unpaid commissions or earnings belonging to any person or persons owing per capita poll or occupation taxes upon the presentation of a written notice and demand containing the name of the taxable and the amount of tax due Upon the presentation of such written notice and demand it shall be the duty of any such corporation political subdivision association company firm or individual to deduct from the wages commissions or earnings of such individual employes then owing or that shall within sixty days thereafter become due or from any unpaid commissions or earnings of any

such taxable in its or his possession or that shall within sixty days thereafter come into its or his possession a sum sufficient to pay the respective amount of the per capita poll or occupation taxes and costs shown upon the written notice or demand and to pay the same to the tax collector of the taxing district in which such delinquent tax was levied within sixty days after such notice shall have been given such corporation political subdivision association firm or individual shall be entitled to deduct from the moneys collected from each employe the costs incurred from the extra bookkeeping necessary to record such transactions not exceeding two per centum of the amount of money so collected and paid over to the tax collector Upon the failure of any such corporation political subdivision association company firm or individual to deduct the amount of such taxes or to pay the same over to the tax collector less the cost of bookkeeping involved in such transaction as herein provided within the time hereby required such corporation political subdivision association company firm or individual shall forfeit and pay the amount of such tax for each such taxable whose taxes are not withheld and paid over or that are withheld and not paid over together with a penalty of ten per centum added thereto to be recovered by an action of assumpsit in a suit to be instituted by the tax collector or by the proper authorities of the taxing district as debts of like amount are now by law recoverable except that such persons shall not have the benefit of any stay of execution or exemption law

Section 21 Collection of Taxes by Suit (a) A tax collector may institute a suit in assmpsit against a delinquent taxable for the collection of any real property taxes due and unpaid after the fifteenth day of May of the year following the year for which the taxes were levied and assessed if (1) the property against which such taxes were levied has not been returned to the county commissioners and (2) such taxes have not been certified for entry of liens and (3) such taxes are not held in the custody of a court as herein provided Execution may be had upon any such judgment recovered without any stay or benefit of any exemption law

(b) In addition to all other remedies provided by this act each taxing district shall have power to collect unpaid taxes from the persons owing such taxes by suit in assumpsit or other appropriate remedy To each judgment obtained for such taxes there shall be added a penalty of ten per centum together with costs of suit Upon each such judgment execution may be issued without any stay or benefit of any exemption law The right of each such taxing district to collect unpaid taxes under the provisions of this subsection shall not be affected by the fact that such taxes have been entered as liens in the office of the prothonotary or the fact that the property against which they were levied has been returned to the county commissioners for taxes for prior years

Section 22 Deputy Tax Collectors A tax collector may with the approval of a taxing district and his surety deputize in writing one or more deputy tax collectors who when so deputized shall be authorized to receive and collect any or all of the taxes in like manner and with like authority as the tax collector appointing them Any tax collector appointing any deputy collector shall be responsible for and account to the taxing district for all taxes received or collected by his deputy

Section 23 Collection of Unseated Land Tax in Certain Counties All taxes on unseated lands except in counties of the seventh and eighth classes shall be collected in the same manner and at the same time as provided by this act for the collection of taxes on seated lands

Section 24 Collection of Unseated Land Taxes in Seventh and Eighth Class Counties (a) In counties of the seventh and eighth classes taxes charged upon unseated lands shall be certified and returned by the several taxing districts levying the same to the county commissioners on or before April first of each year

The county commissioners shall certify such returns to the county treasurer whose duty it shall be to receive the taxes contained in such returns

(b) All taxes levied upon unseated lands shall be paid to the county treasurer by the owner or owners of such unseated lands within the year for which the same are levied In case of the refusal or failure of any owner or owners of such unseated lands to pay the taxes so levied within the year for which the same are levied and collectible then interest at the rate of six per centum per annum shall be charged upon the amount of said taxes or any part thereof remaining due and unpaid from and after the first day of the year following that for which said taxes were levied until the same has been paid in full or the land sold as provided by law for the sale of unseated lands

(c) When taxes upon unseated lands are paid to a county treasurer by the owners or claimants of said lands it shall be the duty of the county treasurer to enter such payments upon the proper book kept by him for the purpose and if requested by the person paying such taxes give a certified copy under the official seal of said county treasurer of the entries in such book specifying the name of the person or persons as whose property such lands are taxed the location of such lands the number of the warrant and the number of acres or other description thereof the kind and amount of taxes assessed thereon and so paid the date of payment of the same and the name of the person or persons paying the said taxes and for whose use the same are paid The county treasurer shall be entitled to receive therefor from the person demanding the receipt or certified copy the sum of twenty-five cents

(d) It shall be the duty of the county treasurer on receiving the said taxes or any part thereof and not before to pay over the amount thereof to the taxing districts who shall respectively be entitled to the same

Section 25 Collection and Payment Over of Taxes The tax collector shall keep a correct account of all moneys collected by him as taxes under the authority of any duplicate or dupicates in his possession He shall mark "paid" on each duplicate at the name of each taxable the amount of taxes paid and the date on which payment was made

The tax collector shall on or before the tenth day of each month or oftener if required by ordinance or resolution of the taxing district make a true verified statement in writing to the secretary or clerk of the taxing district or in the case of cities of the third class to the Director of Accounts and Finance if and as required for all taxes collected for such taxing district during the previous month or period giving the names of taxables the amount collected from each and the total amount of taxes received The collector shall pay over on or before the tenth day of each month or oftener if required by ordinance or resolution of the taxing district to the treasnrer of the taxing district all moneys collected as taxes during the previous month or period and take his receipt for the same

The tax collector shall at any time on demand of any taxing district exhibit any duplicate in his possession showing the uncollected taxes as of any date

Section 26 Settlement of Duplicates Audit The tax collector shall make a complete settlement of all taxes for each year with the proper authority of the taxing district to be designated by the taxing district at such time as the said taxing district may fix but not later than the first day of July of the year succeeding the one for which the taxes were levied unless such time shall be extended by resolution of the taxing district In the settlement of such taxes the tax collector shall be allowed a credit for all taxes collected and paid over for all unpaid taxes upon real property which real property shall have been returned to the county commissioners as provided by law or shall have been certified to the taxing district or its solicitor for the entry of liens in the office of the prothonotary and in the case of occupation poll and per capita taxes for taxes accounted for by exonerations which shall be granted by the taxing dis-

trict upon oath or affirmation that he has complied with section twenty of this act

Upon final settlement of a tax duplicate a tax collector shall take an oath or affirmation in writing and subscribed by the tax collector that he has made a true and just return of all taxes collected by him Such oath or affirmation shall be administered by the officer of the taxing district empowered to make settlement who shall have power to administer the same and shall be filed with such officer

The final accounts and the monthly or other periodic returns and payments of a tax collector shall be audited by the controller or auditors of the taxing district

Section 27 Recovery of Taxes Paid Over by Tax Collector In case a tax collector pays the taxes levied against any real property or personal taxes without having collected the same he shall be entitled to collect the same from the person who is liable therefor so long as his warrant remains in force or in the case of real property have the taxes filed as a lien to his use in the office of the prothonotary if the period for the filing of such lien has not expired

Section 28 Expiration of Term of Third Class City Treasurer Upon the expiration of the term of office of the city treasurer of any city of the third class in case any of the taxes he was commanded to collect remain unpaid he shall turn over the unpaid or delinquent taxes to his successor in office who shall have power to collect the same in the same manner as in the case of the treasurer to whom warrants were first issued Before such duplicates are surrendered to a successor the tax accounts of the outgoing treasurer shall be adjusted and balanced to the satisfaction of the incoming treasurer and the respective taxing authorities before any release of the bond of the outgoing treasurer shall be given

Section 29 Collection of Taxes After Expiration of Office Any tax collector and his sureties except a treasurer of a city of the third class upon the expiration of his term of office shall be responsible for the collection and payment over of the unpaid taxes charged in duplicates in his possession and for the final and complete settlement of such duplicates in the manner provided by this act

Section 30 Collection of Taxes by Legal Representatives of Deceased Collector The executors or administrators of any deceased tax collector except a treasurer of a city of the third class shall have the same powers to enforce collection of unpaid taxes as the collector would have if living and for that purpose may employ a suitable person to act for them in the execution of the warrants with all the powers possessed by the deceased collector

Section 31 Failure to Settle Duplicates Unless settlement of a duplicate is made by a tax collector of a borough town or township of the second class or by any tax collector of school taxes in the manner provided by this act he shall not be entitled to the duplicate or duplicates of any taxing district with which settlement has not been so made for any succeeding year during his term and a tax collector shall be appointed in his stead in the manner provided by law

Section 32 Compensation to be Made by Warrant All payments made by any taxing district to any such tax collector for compensation or expenses incident to his serving as tax collector shall be made by proper warrants or orders drawn upon the treasurer It shall be unlawful for any such tax collector to deduct funds for his compensation or expenses as tax collector or treasurer from any taxing district funds in his possession

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The taxing authorities other than the institution district shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

Section 34 Compensation of Tax Collector in First Class Townships The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to five per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate or annual compensation shall be fixed by ordinance of the township commissioners finally adopted thirty days prior to his election Provided That in no case shall the total compensation of the treasurer as treasurer and tax collector for the township exceed the sum of ten thousand dollars The township treasurer as collector of township taxes shall be allowed such actual printing and postage expenses and shall be incurred in performing the duties prescribed in this act Such amounts shall be adjusted by the township auditor or controller as the case may be at the time of auditing the treasurer's account

The compensation of the township treasurer as collector of county and institution district taxes shall be fixed by the county commissioners and shall not exceed five per centum of the amount collected

The commission or compensation of the township treasurer as collector of school district taxes shall be fixed by the board of school directors and shall not exceed five per centum of the amount collected The total cost of such collection shall be reported annually to the Superintendent of Public Instruction and shall be published in his report

For the collection of county institution district and school taxes the tax collector shall be allowed by the respective taxing authorities actual and needful expenditures for printing postage books blanks and forms

Section 35 Compensation of Tax Collector in Boroughs and Townships of the Second Class The tax collector in boroughs and townships of the second class shall receive as compensation for the collection of county institution district borough and township taxes a commission on all such taxes to be fixed by the respective taxing authorities levying such taxes not exceeding five per centum of the amount collected In the case of school district taxes the commission or compensation of the tax collector shall be determined by the board of school directors and the total cost of such collection shall be reported annually to the Superintendent of Public Instruction and shall be published in his report

For the collection of county institution district school district borough and township taxes the tax collector shall be allowed by the respective taxing authorities actual and needful expenditures for printing postage books blanks and forms

Section 36 Compensation for Collection of Vocational School District Taxes The compensation of the collectors of vocational school district taxes shall be fixed by the board of directors of vocational schools

Section 37 Exonerations Taxing districts shall at all times make exonerations for uncollectible occupation poll and per capita taxes mistakes indigent persons unseated lands deaths removals et cetera as to them shall appear just and reasonable The chief clerk or secretary as the case may be of each taxing district shall enter in a book or books to be kept for that purpose the names of all persons exonerated together with the reason why the amount of the tax and date when made and give to the tax collector a certificate directed to the proper treasurer stating the nature of the tax and the amount exonerated in order to make settlement accordingly When a tax collector has been exonerated from the collection of any tax such action shall not in any way have the effect of discharging or limiting the liability of the taxable but all methods of enforcing collection of taxes shall continue as though no exoneration had been made

Section 38 Advertising Names of Persons Exonerated Taxing districts may at the expense of the district advertise once a week for not longer than three weeks in a newspaper of general circulation in the district the names of all persons who have been exonerated from the payment of their taxes

Section 39 Defaulting Tax Collectors Embezzlement Penalty If any person charged with the collection safekeeping or transfer of any taxes under this act shall convert or appropriate the moneys so collected or any part thereof to his own use in any way whatever or shall use by the way of investment in any kind of property or merchandise any portion of the money so collected by him and shall prove a defaulter or fail to pay over the same or any part at the time and place required by this act to the person legally authorized to demand and receive the same shall be guilty of embezzlement and every such tax collector and every other person aiding or abetting or being in any way accessory to such act and being thereof convicted shall be sentenced to undergo imprisonment not exceeding five years or to pay a fine not exceeding five thousand dollars or both at the discretion of the court

Section 40 Collection of Taxes by Sureties of Defaulting Collectors (a) When any tax collector shall default in the payment of the taxes charged on the duplicates either by embezzlement negligence or failure to collect such taxes within the time prescribed by this act it shall be lawful for the surety or sureties on his bond to demand from the tax collector the tax duplicates in which said sureties are interested and the tax collector shall turn over to his said sureties such duplicates of the various taxing districts for which he is collector

(b) If the tax collector shall fail neglect or refuse to turn over such duplicates upon demand made by his surety or sureties it shall be lawful for the surety or sureties to present a petition to the court of common pleas of the county in which such tax collector resides setting forth the fact that such collector has defaulted in making collections The court being satisfied that such default has been made shall make an order to compel the tax collector to turn over to his sureties the tax duplicates upon which the sureties are liable

(c) The holders of such duplicates shall have the right to appoint a collector to collect the taxes remaining unpaid upon such duplicates Any collector so appointed shall have all the authority and power under the warrant issued to the original collector vested by this act in any collector of taxes for the collection of such taxes The authorities issuing said warrants may issue an additional warrant to the collector of such delinquent taxes upon request of such sureties

(d) The provisions of any law extending the time or any warrant for the collection of taxes on duplicates shall likewise extend to the collection of taxes on such delinquent tax duplicates

(e) Whenever the surety or sureties on the bond of any defaulting tax collector shall undertake to collect delinquent taxes charged in any duplicate delivered to such defaulting tax collector by distress and sale of the goods and chattels of the delinquent or shall distrain on the goods and chattels of any person who shall allege that the taxes with which he stands charged have actually been paid or that such person whose goods and chattels have been distrained upon shall deny liability for such taxes then in either event the tax payer may petition the court of quarter sessions of the county for a stay of any such sale of goods and chattels distrained upon setting forth the reasons therefor

The court shall have power to stay such sale pending a hearing of the matter The court shall have power to fix a day for hearing of which due notice shall be given the surety or sureties of such defaulting tax collector as the court may prescribe

(f) If the court after hearing shall be of the opinion that a tax payer has actually paid such taxes or is not liable for the taxes with which he stands charged on the duplicate it shall direct satisfaction to be entered on such duplicate by the surety or sureties

(g) The surety or sureties on the bond of any such defaulting tax collector or any tax payer shall have the right upon demand made to have a jury pass upon the question whether or not a tax payer has paid taxes with which he stands charged and if the jury shall find such taxes have been so paid the court shall direct the surety or sureties to enter satisfaction on the duplicate

Section 41 Judgment on Liability of Collector of Taxes Appeals Execution (a) In all cases where in any settlement of the accounts of any tax collector the taxing district or the auditing authority thereof shall subject a tax collector to any liability a certificate under the hands and seals of the corporate authorities shall be filed in the office of the prothonotary of the court of common pleas of the county stating the amount due and unpaid by such tax collector Notice thereof shall be given by the taxing district by registered mail to such tax collector and his sureties

(b) It shall be the duty of the prothonotary to enter such certificate on his docket Such certificate shall from such entry have the same force and effect as a judgment of the court of common pleas and execution may be issued

thereon as on judgments for the amount remaining unpaid at any time after the entry aforesaid

(c) Within thirty days of the date of such notice any tax collector or his sureties may appeal to the court of common pleas of the proper county from such judgment No such appeal shall be allowed by the court unless the appellant shall enter into good and sufficient bond with two sureties or a surety company in such amount as the court shall fix conditioned to prosecute such appeal and to pay such sum of money as shall appear to be due on the final determination of the proceedings on said appeal The court shall thereupon issue a rule on the taxing district to show cause why such judgment should not be opened or stricken from the record for reasons set forth in the petition An answer to any such petition and rule shall be filed by the taxing district within thirty days from the date of the service of the rule Service of the rule shall be made in such manner as the court may direct The issues joined on the petition and answer thereto shall be tried by the court and jury unless a jury trial shall be waived by both parties

(d) In case the appellant does not recover final judgment in court more favorable to him than the amount of the judgment he shall pay all costs that may accrue on his appeal but if he should recover in court a final judgment more favorable than the original judgment then the taxing district shall pay the costs that may accrue on such appeal

(e) If no appeal is entered or if an appeal is entered and no security given as herein required or if upon such appeal judgment is given against the tax collector in any amount execution may issue in like manner as on judgments for the amount due and recourse may be had against the sureties of such tax collector

Section 42 Penalty Any tax collector failing to comply with the provisions of section thirteen of this act and any tax collector treasurer or commissioner who violates any of the provisions of section fourteen of this act shall be sentenced to pay a fine of not more than five hundred dollars or be sentenced to imprisonment for not more than six months or both at the discretion of the court

Section 43 Repeals The following acts and parts of acts and their amendments are hereby repealed to the extent hereinafter specified

(1) Sections eighteen nineteen and twenty of the act approved the eleventh day of April one thousand seven hundred ninety-nine (three Smith's Laws 392) entitled "An act to extend for a limited time an act entitled 'A further Supplement to the act entitled 'An act for making an artificial road from the city of Philadelphia to the borough of Lancaster and for other purposes'" absolutely

(2) Sections forty-one forty-six forty-seven forty-eight forty-nine fifty fifty-one and fifty-two of the act approved the fifteenth day of April one thousand eight hundred thirty-four (P. L. 509) entitled "An act relating to county rates and levies and township rates and levies" absolutely

(3) Section three of the act approved the twenty-eighth day of February one thousand eight hundred thirty-five (P. L. 45) entitled "A supplement to the act relating to county rates and levies and township rates and levies and to the act relating to counties and townships and county and township officers" absolutely

(4) Section eight of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of County Treasurers and for other purposes" absolutely

(5) Sections nineteen and twenty-one of the act approved the twenty-second day of April one thousand eight hundred forty-six (P. L. 486) entitled "An act to provide for the reduction of the public debt" absolutely

(6) The act approved the twenty-sixth day of March one thousand eight hundred sixty-seven (P. L. 45) entitled "An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth" absolutely

(7) Sections three five six seven eight nine ten and twelve of the act approved the twenty-fifth day of June one thousand eight hundred eighty-five (P. L. 187) entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" absolutely

(8) The act approved the twenty-second day of May one thousand eight hundred ninety-five (P. L. 111 Number 83) entitled "An act to provide for the more speedy and effectual manner of collecting the road and poor taxes in the several boroughs and townships in this Commonwealth" absolutely

(9) Sections one and four of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 296 Number 212) entitled "An act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act" absolutely

(10) The act approved the ninth day of July one thousand eight hundred ninety-seven (P. L. 242) entitled "An act requiring the tax collectors of the several boroughs and townships of this Commonwealth to make monthly returns of the taxes collected by them and the amount outstanding upon their respective duplicates to the several authorities legally authorized to receive the said taxes and to borough councils and to pay over monthly the amounts so collected by them and providing a penalty for the violation of the same" absolutely

(11) Sections five hundred forty-five and five hundred forty-eight subsections (a) (b) and (c) of section five hundred fifty sections five hundred fifty-one five hundred fifty-two five hundred fifty-three five hundred fifty-four five hundred fifty-five five hundred fifty-six five hundred fifty-seven five hundred fifty-eight five hundred fifty-nine five hundred sixty-one and five hundred sixty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" absolutely

(12) Sections one thousand eighty-one one thousand three hundred five one thousand three hundred six one thousand three hundred seven one thousand three hundred eight one thousand three hundred nine one thousand three hundred ten one thousand three hundred eleven one thousand three hundred twelve one thousand three hundred thirteen and one thousand three hundred fourteen thereof of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" absolutely

(13) The act approved the twelfth day of March one thousand nine hundred twenty-nine (P. L. 18 Number 13) entitled "An act regulating the collection of county taxes in cities and providing for discounts and penalties" absolutely

(14) The act approved the twenty-third day of April one thousand nine hundred twenty-nine (P. L. 634) entitled "An act to provide for the taking of tax duplicates by sureties on the bonds of delinquent or defaulting tax collectors and the appointment by such sureties of a collector for the collection of taxes due on such duplicates" absolutely

(15) The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 776 Number 326) entitled "An act relating to the payment of taxes on seated and unseated lands by joint tenants tenants in common or coparceners" absolutely

(16) Sections two thousand five hundred fifty-six two thousand five hundred fifty-eight two thousand five hundred sixty two thousand five hundred sixty-one two thousand five hundred sixty-two two thousand five hundred sixty-three two thousand five hundred sixty-five two thousand five hundred sixty-six and two thousand five hundred sixty-seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" absolutely and section two thousand five hundred sixty-four thereof except in so far as it provides for the deposit of city moneys

(17) Sections eight hundred two one thousand seven hundred thirteen one thousand seven hundred fourteen one thousand seven hundred fifteen one thousand seven hundred sixteen one thousand seven hundred seventeen one thousand seven hundred eighteen and one thousand seven hundred nineteen of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" absolutely

(18) The act approved the twenty-fifth day of July one thousand nine hundred thirty-two (P. L. 10) entitled "An act authorizing counties cities boroughs towns townships school districts and poor districts to install by ordinance or resolution a system for the collection of taxes in instalments and specifying certain conditions and penalties in such cases" absolutely

(19) Section nine hundred nine of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" in so far as it relates to abatements and penalties and sections five hundred seventy-one nine hundred ten nine hundred eleven nine hundred twelve nine hundred thirteen nine hundred fourteen nine hundred fifteen and nine hundred sixteen thereof absolutely

(20) The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 713) entitled "An act authorizing the courts of quarter sessions to stay sales of goods and chattels distrained upon by sureties of defaulting tax collectors and providing a procedure to exonerate the sureties where delinquent taxpayers are unable to pay taxes and to direct satisfaction of the taxes charged in duplicates where it appears such taxes have been paid" absolutely

(21) The act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2780) entitled "An act relating to the settlements of accounts of collectors of county taxes providing for procedure in such cases and for appeals to courts of common pleas" absolutely

(22) Section three of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2797) entitled "An act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the quarter sessions court and the Department of Internal Affairs directing such department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violating of the act a misdemeanor" absolutely

(23) The act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 508) entitled "An act defining the rights powers and duties of collectors of county taxes except in counties of the second class and counties having local or special laws relating thereto and of collectors of city in cities of the third class borough town township school district and institution district taxes providing for the collection of such taxes by suit distraint and lien and sale of the chattels of taxables and of tenants on the real estate affected and from employers of delinquent taxables authorizing the appointment of deputies by the tax collectors defining certain defaults of tax collectors as embezzlements and imposing penalties" absolutely

(24) The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands" absolutely

(25) The act approved the thirteenth day of April one thousand nine hundred forty-three (P. L. 50) entitled "An act to amend the title and Section 1 of and to add Section 2.1 2.2 2.3 and 2.4 to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled 'An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands' providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer" absolutely

Section 44 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 45 This act shall become effective on the first day of January one thousand nine hundred and forty-six

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MOTION TO RECOMMIT

Mr. LANE. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for further study.

On the question,

Will the House agree to the motion?

Mr. BOORSE. Mr. Speaker, I rise to oppose this motion, and I ask that it be voted down.

Mr. PETROSKY. Mr. Speaker, I rise in opposition to this motion and ask the Membership on both sides of the House to vote it down.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Yester, Worley and Goodling asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—127

Baker,	Gore,	McAtee,	Root,
Barton,	Grant,	McCormack,	Rose,
Bentzel,	Green,	McLanahan,	Rudisill,
Boney,	Guthrie,	McNair,	Salus,
Boory,	Gyger,	McNally,	Scanlon,
Boorse,	Haberlen,	Mihm,	Serrill,
Bower,	Hamilton,	Milliken,	Shaffer,
Brancato,	Heatherington,	Mills,	Shoemaker,
Breisch,	Hennihan,	Modell,	Skale,
Brothers,	Hering,	Mooney,	Smith,
Brown,	Herman,	Moore, W. J.,	Stank,
Brunner, C. H.,	Hersch,	Moser,	Stockham,
Brunner, P. A.,	Hoffman,	Munley,	Stonier,
Cadwalader,	Hoopes,	Murray, M. L.,	Swope,
Chudoff,	Howells,	Myhan,	Tahl,
Cohen,	Hunter,	Nagel,	Tate,
Coleman,	James,	O'Connor,	Trachtman,
Cook,	Jones,	O'Dare,	Trent,
Costa,	Kirley,	O'Neill,	Turner,
Coyle,	Kline,	Owens,	Varallo,

Dalrymple,	Kolankiewicz,	Pentrack,	Verona,
Dennison,	Komorofski,	Petrosky,	Wachhaus,
Dillon,	Lee,	Pettigrew,	Watkins,
Dougherty,	Leisey,	Pickens,	Weiss,
Duffy,	Leonard,	Polaski,	Welsh,
Elish,	Lichtenwalter,	Powers,	White,
Finnerty,	Loftus,	Propert,	Wood, L. H.,
Flack,	Longo,	Reagan,	Wood, N.,
Foor,	Lopez,	Reidenbach,	Wright,
Freed,	Lovett,	Reynolds,	Yeakel,
Gaffney,	Mahany,	Riley,	Fiss,
Gallagher,	Matthews,	Robertson,	Speaker.

NAYS—62

Andrews,	Fox,	Levy,	Reese, R. E.,
Barrett,	Frost,	Madden,	Schuster,
Baumunk,	Gardner,	Madigan,	Sloan,
Bonawitz,	Gibson,	McClester,	Snider,
Brice,	Goodling,	McDowell,	Snyder,
Burns,	Greenwood,	McKinney,	Sollenberger,
Chervenak,	Greer,	McMillen,	Sorg,
Cooper,	Hall,	Mikula,	Stuart,
Corrigan,	Hare,	Miller,	Tittle,
Coulson,	Haudenshield,	Moran,	Turbett,
Depuy,	Helm,	Nelson,	Wagner,
Dix,	Hewitt,	O'Brien,	Waterhouse,
Dye,	Huntley,	O'Donnell,	Wescott,
Elder,	Krise,	Polen,	Worley,
Erb,	Kurtz,	Reese, D. P.,	Yester,
Ewing,	Lane,		

NOT VOTING—18

Bentley,	Fullerton,	Lyons,	Regan,
Boies,	Getchey,	Moore, C. E.,	Reilly,
Cullen,	Hoggard,	Murray, P. G.,	Royer,
Dague,	Kennedy,	Readinger,	Trout,
Fleming,	Laughner,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGES

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 106.

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of the money derived from such increase

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 106

Mr. SORG. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 106, Messrs. Dix, Elder and Petrosky.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 8.

An Act to authorize the Department of Commerce under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation

Mr. LICHTENWALTER. Mr. Speaker, I move that the House recede from its amendments non-concurred in by the Senate and concur in said amendments.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1002

Mr. SORG. Mr. Speaker, I submit the report of the Committee of Conference on House Bill No. 1002.

The SPEAKER. The report will lie over for printing under the Rules.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 561.

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain county highways and requiring their construction repair and maintenance as such" is hereby amended to read as follows

Section 1 That where any county is responsible for the construction or maintenance of any highway such highway shall if and when the county commissioners consent thereto by resolution a copy of which shall be filed in the office of the clerk of the courts of the proper county and with the Department of Highways be adopted by the Commonwealth as a state highway and shall thereafter be constructed repaired and maintained at the expense of the Commonwealth as State highways are now constructed repaired and maintained under the provisions of existing laws Provided That no highway shall be taken over by the Commonwealth under the provisions of this act unless such highway were a county highway on the twenty-eighth day of May one thousand nine hundred forty-three nor if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth or local authorities or both until such contract shall have been completed Provided further that the Commonwealth shall not become responsible under the terms of this act for any bridge viaduct or other structure except drainage structures having a total spanned length of ten feet or less measured along the center line of the highway

Section 2 The provisions of this amendatory act shall not apply to any county highway or section thereof nor to bridges or other structures forming an integral part thereof as to which the county commissioners have adopted a resolution under the provisions of the act amended hereby prior to the effective date of this amendatory act The Department of Highways shall hereafter repair and maintain the same notwithstanding the enactment of the foregoing amendment

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—105

Barton,	Gardner,	Lyons,	Royer,
Baumunk,	Getchey,	Madden,	Salus,
Bonawitz,	Gibson,	Madigan,	Serrill,
Boorse,	Goodling,	Mahany,	Shoemaker,
Bower,	Greenwood,	McAtee,	Sloan,
Breisch,	Greer,	McClester,	Smith,
Brice,	Guthrie,	McCormack,	Snyder,
Brunner, C. H.,	Gyger,	McDowell,	Sollenberger,
Cadwalader,	Hall,	McKinney,	Sorg,
Cook,	Hare,	McMillen,	Stockham,
Costa,	Haudenshield,	Mikula,	Stonier,
Coulson,	Helm,	Miller,	Tahl,
Dague,	Hewitt,	Milliken,	Tittle,
Dalrymple,	Hoffman,	Moore, J. E.,	Trout,
Dennison,	Hoopes,	Moser,	Turbett,
Depuy,	Howells,	Murray, P. G.,	Turner,
Dix,	Huntley,	Nelson,	Wachhaus,
Dye,	James,	O'Dare,	Wagner,
Elder,	Kennedy,	Pickens,	Waterhouse,
Erb,	Kline,	Propert,	Watkins,
Ewing,	Krise,	Reagan,	Wescott,
Flack,	Kurtz,	Reese, D. P.,	Wood, L. H.,
Foor,	Laughner,	Reilly,	Wood, N.,
Fox,	Lee,	Riley,	Yeakel,
Freed,	Leisey,	Robertson,	Fiss,
Frost,	Lichtenwalter,	Root,	Speaker
Fullerton,	Loftus,		

NAYS—93

Andrews,	Gaffney,	McNair,	Reese, R. E.,
Baker,	Gallagher,	McNally,	Reidenbach,
Barrett,	Gore,	Mihm,	Reynolds,
Bentzel,	Grant,	Mills,	Rose,
Boney,	Green,	Modell,	Rudisill,
Boory,	Haberlen,	Mooney,	Scanlon,
Brancato,	Hamilton,	Moore, W. J.,	Schuster,
Brothers,	Heatherington,	Moran,	Shaffer,
Brown,	Hennihan,	Munley,	Skale,
Brunner, P. A.,	Hering,	Murray, M. L.,	Snider,
Burns,	Herman,	Myhan,	Stank,
Chervenak,	Hersch,	Nagel,	Stuart,
Chudoff,	Hunter,	O'Brien,	Swope,
Cohen,	Jones,	O'Connor,	Tate,
Coleman,	Kirley,	O'Donnell,	Trachtman,
Cooper,	Kolankiewicz,	O'Neill,	Trent,
Corrigan,	Komorofski,	Owens,	Varallo,
Coyle,	Lane,	Pentrack,	Verona,
Cullen,	Leonard,	Petrosky,	Weiss,
Dillon	Levy,	Pettigrew,	Welsh,
Dougherty	Longo,	Polaski,	White,
Duffy,	Lopez,	Polen,	Worley,
Elish,	Lovett,	Powers,	Wright,
Finnerty,	Matthews,	Readinger,	Yester,
Fleming,	McLanahan,		

NOT VOTING—4

Bentley,	Boies,	Hoggard,	Regan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 438, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as renumbered reenacted amended and further amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2412) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 5 The remainder of the money from time to time in the Motor License Fund is hereby appropriated to the Department of Highways for the following purposes

* * * * *

(u) Subject to the approval of the Governor for payment of the cost of acquiring toll bridges located wholly within the Commonwealth of Pennsylvania Provided however That the total amount to be expended for the acquisition of all toll bridges in Pennsylvania shall not exceed the sum of seven million dollars ($7,000,000)

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, we are now about to witness a travesty upon that little penny—the extra penny for gasoline that we have just authorized. The little black animal with the white stripe upon its back begins to emerge from the rotting log.

Let me read you the synopsis of Senate Bill 438, Printer's No. 497, which has been patiently hiding and waiting until the Motor Fund got its little cut:

> An Act to further amend the act approved the first day of May, nineteen hundred and twenty-nine, (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended by adding to section five a new clause, making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania.

Now, Mr. Speaker, no living mortal soul that I know of or have met holds with toll bridges in principle. I think everybody everywhere would be delighted beyond all calculation if all bridges were free, but isn't there a strange affinity between the passage of a bill allowing a little cut out of your penny collected to go to the Motor License Fund and the next bill we give consideration to, a part of that little penny, which will be a little part of that penny, is to be made available for the acquisition of toll bridges wholly within Pennsylvania?

I would like to say to Mr. Andrews and his ninety-nine braves that here at last is their chance to stand on the principle that they so nobly upheld in staying with the demand that this little penny should be cut in half and not in three parts. Before they decide on how they are going to vote on this bill, I earnestly advise them to turn over to the next page of the calendar and look at Senate Bill 437, Printer's No. 592. If they will do this I feel certain, as I hope the Members on this side of the House will feel, that the answer to the bill now before us is a resounding and unequivical no.

Mr. ANDREWS. Mr. Speaker, I am surprised. One by one they emerge. Perhaps conscience troubles.

Mr. Speaker, the gentleman from Delaware having trotted out the little animal from the rotten log, why shouldn"t a body throw a spitball? I would throw anything that was handy.

But isn't the gentleman's alarm a little previous? Here the relief penny was saved magnificiently through this calm, collected House, a House in which nothing is hurried, in which everything is deliberate, and lo and behold, something happens. The "damn" bill disappears. You heard that wise discussion. The gentleman from Montgomery made a speech and the "damn" bill vanished. Now, isn't it a little previous——

QUESTION OF PERSONAL PRIVILEGE

Mr. JAMES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. JAMES. I just used the question of personal privilege to inform the gentleman from Cambria that I did not know the bill was lost.

The SPEAKER. The gentlemen will proceed in an orderly way.

Mr. ANDREWS. Mr. Speaker, I want to remind the gentleman on the other side of the House that we do not know when this bill was discussed and then it disappeared, when it is coming back, and we do not know in what form it will be when it gets back. You know the general who organized the "Dauntless Thirty" is a great tactician, and there is just a little suspicion when this bill in its triumphant career so suddenly disappears.

I suggest in all seriousness that until we have placed upon the statute books this bill that has disappeared, that it is just a useless gesture to pass these toll bridge bills, because it is the money in the bill that has disappeared that they are going to use to relieve these gentlemen who have toll bridges to sell. You know, they have been battling a long time to buy them before, but they did not buy them. Then they tried to sell them to James, and he never bought anything. Now they find that the present Governor is in a generous mood and he wants to buy some bridges if he can get a further little penny. Until that penny materializes, I am going to express the hope, if they press this bill for passage, that we vote no, and then when the bill comes back, if it does come back, we can reconsider if we want to, and leave these toll bridges to these gentlemen in great distress, some of whom are worth not less than thirty million dollars who have bridges to sell, when the bill comes back and we pass it, then let us buy the toll bridges, but let us hold the toll bridge bill until the penny bill is safely across the legislative goal line.

Mr. LICHTENWALTER. Mr. Speaker, I do not wish to get into the debate more than to inform the gentleman from Cambria that I do not know, due to the lateness of the hour, whether he was at his desk when the Speaker announced to the full Membership of the House that the report of Committee of Conference would lie over for printing under the rules of the House. Therefore, I do not assume that bill is any more lost than any other reports of Committee on Conference. The report was accepted from the gentleman from Elk, Mr. Sorg, and that statement was made.

I want to remind him as to the position of the bill, that the Speaker announced from the rostrum that the report of the Committee on Conference would go to the Printer under the rules of the House.

Mr. ANDREWS. I do not wish, Mr. Speaker, to prolong this discussion, but I will call the attention of the gentleman from Lehigh to the fact that after we looked at the bill, he didn't know what it said, I didn't know what it said, no one knew what it said. The Parliamentarian did not know what it said and the Legislative Reference Bureau said, "Let us take it to the darn Printer and have him print it and find out what it is all about."

Mr. JAMES. Mr. Speaker, the shepherd having ninety-nine sheep safely within his fold, if one should be lost he will go out in the wilderness to seek it and bring it back into the fold? We have observed the Master at work.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—156

Andrews,	Frost,	Longo,	Reynolds,
Baker,	Fullerton,	Lyons,	Riley,
Barrett,	Gallagher,	Mahany,	Royer,
Barton,	Getchey,	McAtee,	Rudisill,
Baumunk,	Gibson,	McClester,	Scanlon,
Bentzel,	Goodling,	McCormack,	Schuster,
Bonawitz,	Gore,	McDowell,	Serrill,
Boney,	Grant,	McLanahan,	Shaffer,
Boorse,	Green,	McMillen,	Shoemaker,
Bower,	Greenwood,	Mihm,	Sloan,
Brancato,	Greer,	Mikula,	Smith,
Breisch,	Gyger,	Miller,	Snider,
Brice,	Hall,	Mills,	Snyder,
Brunner, C. H.,	Hamilton,	Modell,	Sollenberger,
Brunner, P. A.,	Hare,	Mooney,	Sorg,
Burns,	Heatherington,	Moran,	Stank,
Cadwalader,	Hennihan,	Moser,	Stockham,
Chudoff,	Hering,	Munley,	Stonier,
Cohen,	Herman,	Murray, M. L.,	Tate,
Coleman,	Hersch,	Murray, P. G.,	Tittle,
Cook,	Hewitt,	Myhan,	Trent,
Corrigan,	Hoffman,	Nagel,	Trout,
Costa,	Hoopes,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Varallo,
Coyle,	Hunter,	O'Dare,	Verona,
Dague,	Huntley,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dix,	Kline,	Petrosky,	Weiss,
Dougherty,	Kolankiewicz,	Pickens,	Welsh,
Dye,	Krise,	Polaski,	Wescott,
Elder,	Kurtz,	Powers,	White,
Erb,	Lane,	Propert,	Wood, L. H.,
Ewing,	Lee,	Readinger,	Wood, N.,
Finnerty,	Leisey,	Reese, D. P.,	Worley,
Flack,	Leonard,	Reese, R. E.,	Wright,
Fox,	Lichtenwalter,	Reidenbach,	Yeakel,
Freed,	Loftus,	Reilly,	Fiss, Speaker.

NAYS—37

Boory,	Foor,	Laughner,	Polen,
Brothers,	Gaffney,	Levy,	Robertson,
Brown,	Gardner,	Lovett,	Root,
Chervenak,	Guthrie,	Madden,	Salus,
Cooper,	Haberlen,	McKinney,	Stuart,
Cullen,	Haudenshield,	McNally,	Tahl,
Dillon,	Helm,	Milliken,	Trachtman,
Duffy,	James,	Moore, C. E.,	Turner,
Elish,	Komorofski,	Moore, W. J.,	Yester,
Fleming,			

NOT VOTING—14

Bentley,	Madigan,	Pettigrew,	Rose,
Boies,	Matthews,	Reagan,	Skale,
Hoggard,	McNair,	Regan,	Swope,
Lopez,	O'Brien,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would first like to refer my collegue from Lehigh, Mr. Freed, who has been inquiring all session who the powers that be are. He has had a lesson.

I would also like to remind the gentleman from Cambria, who of course endowed me with the name of "papa" in this session, that he also is not a wayward child. Sometimes he has to go back to the telephone booth for the purpose of holding a caucus.

Mr. ANDREWS. Mr. Speaker, the difficulties of parliamentary maneuvering in a crowded House are extremely great.

The SPEAKER. The Chair agrees with that.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, concerning the toll bridges, the Democratic Caucus voted "yes" on the toll bridge bills. When the situation arose and the gentleman from Delaware trotted out his spotted animal, I thought perhaps it would be possible by a quick shift to tie up the toll bridges and maybe get a toe hold on the missing bill. But some of the Members on this side of the House do not appreciate quick shifts. The Chairman of the Democratic party does not understand parliamentary maneuvers, and so they started an insurrection in my rear.

I was busy, Mr. Speaker, exchanging signals with the other side of the House, and I could not put up a battle with dissatisfied brethren on this side. I had committed the cardinal sin of having a party leader on the floor—I had crossed the caucus and in my vanity I thought perhaps they had sufficient faith in my judgment to follow the quick shift, but I found I was mistaken. They didn't appreciate the play, and there was nothing left for me to do but to restore them to the position they had taken in the caucus. I think they made a frightful mistake.

PERMISSION TO ADDRESS HOUSE

Mr. SALUS asked and obtained unanimous consent to address the House.

Mr. Speaker, everything comes to he who waits. The gentleman from Cambria has had the opportunity to see hell freeze over.

PERMISSION TO ADDRESS HOUSE

Mr. LONGO asked and obtained unanimous consent to address the House.

Mr. Speaker, you have just heard an explanation by the Minority Floor Leader concerning the insurrection which took place behind him. I probably am responsible for the insurrection, due to the fact that I made the motion in the

caucus that these bills be supported and the caucus, of course, supported my motion. Not knowing the maneuvers of our Minority Floor Leader, the action took place. Our National Chairman, David L. Lawrence, took the opportunity of seeing that the action of the caucus was upheld. Certainly his behaviour and his activity at that time showed his real leadership in the Democratic Party.

Mr. JAMES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ANDREWS. Mr. Speaker, will the gentleman yield for just a moment

Mr. JAMES. Mr. Speaker, I yield to the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Perhaps the Minority Floor Leader is now going to reduce the National Chairman to the State Chairmanship.

Mr. ANDREWS. Mr. Speaker, first, I wish to reduce the National Chairman to the State Chairmanship, second, I want to pay tribute to his political acumen, and third, I want to say that he knows darn little about political maneuvering in the House.

The SPEAKER. The Chair has admiration for the Minority Floor Leader and the acumen of the State Chairman at work on the floor of the House.

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened attentively and with very great sympathy to the explanation of the Minority Floor Leader for the exhibition of reversal that we have just witnessed.

It is the practice in this House to accept any statement made by a colleague as the truth, and I do accept all of the statements made by the Minority Leader save one. He said to us that he could not quell insurrection by all of his brothers on that side of the House. My view of the thing is that he could not quell a revolution, not by brothers, but a brother.

Mr. Speaker, this has been a lot of fun. I have really enjoyed it, but behind what has happened here there is a great deal of significance. I sincerely trust when we get to the next of these bridge bills there will be a vote that will reflect the true view of Mr. Lawrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 437, as follows:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The words "toll bridge" as used in this act shall mean any bridge whereon toll is charged located wholly within the Commonwealth of Pennsylvania over any stream or river or over a stream or river and the facilities of any public service company and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge and used in the operation and maintenance of same

Section 2 The Secretary of Highways is hereby authorized to acquire on behalf of the Commonwealth any toll bridge as defined in this act The acquisition of such toll bridges may be either by purchase or by condemnation proceedings as the Secretary of Highways may deem expedient The time or times when such toll bridge or bridges shall be acquired shall be determined by the Secretary of Highways with the approval of the Governor and in making such determination due regard shall be had to the importance of such toll bridges from a traffic standpoint but the Secretary of Highways shall proceed with the acquisition of such toll bridges at the earliest date he shall deem expedient The cost of acquiring such toll bridges shall be paid by the Commonwealth as hereinafter provided

Section 3 The Secretary of Highways shall whenever he determines to acquire any such toll bridge ascertain or estimate the value thereof and shall in writing give notice of such valuation to the owner or owners thereof Such notice shall contain an offer to purchase such toll bridge at the valuation made by the Secretary of Highways

Section 4 If the owner or owners of such bridge accept such offer or whenever the Secretary of Highways and the owner or owners of such bridge shall agree on a purchase price after negotiation the Secretary of Highways and said owner or owners shall enter into a written agreement by the terms of which the owner or owners shall transfer to the Commonwealth at and for the price agreed upon a good sufficient and marketable title to such toll bridge as herein defined Such agreement shall further provide that the purchase price agreed upon shall be paid to the owner or owners in equal annual installments over a period of not less than five years nor more than fifteen years All agreements for the purchase of any toll bridge as herein provided shall be approved by the Governor and the Attorney General

Section 5 In the event the owner or owners of any such bridge do not accept such offer or whenever the Secretary of Highways and the owner or owners of any such bridge cannot agree on a purchase price as hereinbefore provided application shall be made by the Attorney General to the court of common pleas of the county in which such bridge is located or in the case of a bridge on the boundary line between two or more counties then in any of such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such bridge and estimate the value thereof None of said free-holders shall be a resident of the county wherein such application shall be made The said court shall fix a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the property and view the same The said viewers shall cause at least ten days' personal notice of the time and place of such first meeting to be given to the Attorney General and to the owner or owners of such bridge if resident within said county If said owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither said owner nor any of said officers reside within said county or cannot be found therein notice of such first meeting shall be given as said court may direct

Section 6 The said viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for said first meeting proceed to ascertain as accurately as may be the value of such bridge and to that end may require the attendance of any person whose testimony may be pertinent thereto and the production of any such books and papers as said viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when thereto required the said court or any judge thereof shall upon application of said viewer or a quorum thereof make such order therein as may be necessary

Section 7 Whenever said viewers shall have ascertained the value of said bridge they shall prepare a full report of their labors Said report shall include a plan showing the location of said bridge Upon the completion of said report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting shall be given to the Secretary of Highways to the Attorney General and to the owner or owners of said bridge At the time and place mentioned in such notice the said viewers shall meet and publicly exhibit said report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in said court

Section 8 Within thirty days after the filing of said report in said court the Commonwealth of Pennsylvania or any person interested may file exceptions thereto whereupon said court may confirm said report absolutely or modify it or refer it back to the same or to new viewers with like powers and duties as the former viewers

Within thirty days after final action on said report by the court the Commonwealth of Pennsylvania or any person interested may demand a trial by jury

From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by either party to the Supreme Court of Pennsylvania

Section 9 The cost of said condemnation proceedings including the court costs compensation of viewers and the cost of any advertising which may be required hereunder shall be paid by the Commonwealth of Pennsylvania Each of said viewers shall receive a sum not exceeding twenty dollars ($20.00) for each day actually and necessarily employed in the performance of the duties herein prescribed

Section 10 As soon as the Secretary of Highways and the owner or owners have agreed upon the purchase price of any such bridge as evidenced by an agreement approved as provided in Section 4 of this act the Secretary of Highways shall take possession of such bridge in the name of the Commonwealth Whenever the Secretary of Highways determines to acquire any such bridge by condemnation proceeding he shall take possession of such bridge in the name of the Commonwealth The amount of any award or verdict under the condemnation proceedings for the acquisition of any such bridge shall be paid out of monies in the Toll Bridge Fund by the State Treasurer upon requisition by the Secretary of Highways Should there be no funds or insufficient funds in the Toll Bridge Fund to meet any such requisition then the amount of any award or verdict, under condemnation proceedings for the acquisition of any such bridge or so much thereof as shall be necessary to increase the amount of monies in the Toll Bridge Fund to an amount sufficient to meet such requisition and make such payment shall be transferred to the Toll Bridge Fund from the Motor License Fund by the State Treasurer and for such purposes so much money as may be necessary is hereby specifically appropriated out of the Motor License Fund Such amount of monies as shall be so transferred from the Motor License Fund to the Toll Bridge Fund for such purposes shall be reimbursed to the Motor License Fund out of the Toll Bridge Fund from time to time as the same become available therein from the proceeds realized from the sale of the bonds authorized by law to be issued and sold by the Commonwealth to defray the cost of the acquisition of toll bridges wholly within the Commonwealth

It shall be the mandatory duty of the Secretary of Highways to notify the Governor the Auditor General and the State Treasurer to issue bonds to provide funds for payment of any final award in condemnation proceedings instituted for the acquisition of any such bridges

Section 11 Whenever any such bridge is acquired by the Commonwealth as hereinbefore provided the collection of tolls thereon shall cease and such bridge shall become and be thereafter a free bridge and be under the control of the Department of Highways and shall be thereafter maintained kept in repair and rebuilt by the Department of Highways in accordance with the law relating to State highways and bridges The Department of Highways shall take over and succeed to all agreements with public service companies for the use and occupancy of such bridges by the facilities of such companies such use and occupancy to be governed by the law relating to the issuance of occupancy permits on bridges under the jurisdiction of the Department of Highways

The Department of Highways may take over and succeed to any agreement in effect at the time of the acquisition of any toll bridge providing for easements and licenses in respect of such bridge which in the opinion of the Secretary of Highways will not materially interfere with the use and operation of such bridge as a thoroughfare

Section 12 Payments under the terms of any agreement providing for the purchase of any such bridge shall be made from the Motor License Fund upon requisition of the Secretary of Highways as provided by law If at any time there should be insufficient monies in the Motor License Fund to meet installment payments entered into for amicable purchase the Secretary of Highways shall call upon the Governor Auditor General and State Treasurer to sell bonds under the provisions of the Act of January second one thousand nine hundred thirty-four (P. L. 201) in such amount as will provide sufficient funds to meet such payments Following the sale of bonds as provided in this section the proceeds thereof or so much thereof as may be necessary shall be transferred by the State Treasurer from the Toll Bridge Fund to the Motor License Fund

Section 13 The interest and sinking fund requirements for any bonds issued for the payment of awards made in condemnation proceedings instituted for the acquisition of any such bridge or to meet installment payments under agreements for purchase as provided in Section 12 of this act shall be paid from the Motor License Fund The Board of Finance and Revenue shall determine the amounts necessary for such purposes and the sum or sums thus determined shall be transferred from time to time to the sinking fund from the Motor License Fund by the State Treasurer

Section 14 So much of the money in the Toll Bridge Fund or so much of the money in the Motor License Fund as may be necessary from time to time to carry out the provisions of this act are hereby specifically appropriated for such purposes Provided however That the amount to be expended for the acquisition of all toll bridges as provided herein shall not exceed a total sum in excess of seven million dollars ($7,000,000)

Section 15 The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 395) entitled "An act empowering The Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefore providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" and all amendments thereto be and the same are hereby repealed

Section 16 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—156

Andrews,	Frost,	Lichtenwalter,	Reese, R. E.,
Baker,	Fullerton,	Loftus,	Reidenbach,
Barrett,	Gaffney,	Longo,	Reilly,
Barton,	Gallagher,	Lyons,	Reynolds,
Baumunk,	Getchey,	Mahany,	Riley,
Bentzel,	Gibson,	McAtee,	Royer,

Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Scanlon,
Boorse,	Grant,	McDowell,	Schuster,
Bower,	Green,	McLanahan,	Serrill,
Brancato,	Greenwood,	Mihm,	Shaffer,
Breisch,	Greer,	Mikula,	Shoemaker,
Brice,	Gyger,	Miller,	Sloan,
Brunner, C. H.,	Haberlen,	Mills,	Snider,
Brunner, P. A.,	Hall,	Modell,	Snyder,
Burns,	Hamilton,	Mooney,	Sollenberger,
Cadwalader,	Hare,	Moore, C. E.,	Sorg,
Chervenak,	Heatherington,	Moran,	Stank,
Chudoff,	Hering,	Moser,	Stockham,
Cohen,	Herman,	Munley,	Swope,
Coleman,	Hersch,	Murray, P. G.,	Tate,
Cook,	Hewitt,	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Turbett,
Coulson,	Hoopes,	Nelson,	Varallo,
Coyle,	Howells,	O'Brien,	Wachhaus,
Cullen,	Hunter,	O'Connor,	Wagner,
Dague,	Huntley,	O'Donnell,	Waterhouse,
Dalrymple,	Jones,	O'Neill,	Watkins,
Dennison,	Kennedy,	Owens,	Weiss,
Depuy,	Kirley,	Pentrack,	Welsh,
Dix,	Kline,	Petrosky,	Wescott,
Dougherty,	Kolankiewicz,	Pettigrew,	White,
Dye,	Komorofski,	Pickens,	Wood, L. H.,
Elder,	Krise,	Polaski,	Wood, N.,
Elish,	Kurtz,	Powers,	Worley,
Erb,	Lane,	Propert,	Wright,
Finnerty	Lee,	Readinger,	Yeakel,
Flack,	Leisey,	Reagan,	Fiss,
Fox,	Leonard,	Reese, D. P.,	Speaker.
Freed,			

NAYS—32

Brothers,	Haudenshield,	McKinney,	Salus,
Cooper,	Helm,	McNally,	Smith,
Costa,	Hennihan,	Milliken,	Stonier,
Ewing,	James,	Moore, W. J.,	Stuart,
Fleming,	Laughner,	Murray, M. L.,	Tahl,
Foor,	Levy,	O'Dare,	Trachtman,
Gardner,	Lovett,	Robertson,	Turner,
Guthrie,	Madigan,	Root,	Yester,

NOT VOTING—19

Bentley,	Duffy,	McMillen,	Skale,
Boles,	Hoggard,	McNair,	Trent,
Boory,	Lopez,	Polen,	Trout,
Brown,	Madden,	Regan,	Verona,
Dillon,	Matthews,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION TO ADDRESS HOUSE

Mr. SALUS asked and obtained unanimous consent to address the House.

Mr. Speaker, earlier in the evening I heard the Third Assistant Minority Leader from Philadelphia make some comment about Dave Harris and his baseball team of nine. I want to now reiterate what I said a few days ago, this baseball team of nine takes orders from no one, not even the State Chairman, Mr. Harvey Taylor. We vote according to the dictates of our conscience in the best interests of Pennsylvania.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, every baseball team has a good coach. I have always suspected that the Nifty Nine never had a coach. They have acted that way.

INTERROGATION

Mr. DILLON. Mr. Speaker, I would like unanimous consent to interrogate the gentleman from Philadelphia, Mr. O'Dare, the shortstop.

The SPEAKER. Will the gentleman yield until we proceed with the calendar?

Mr. DILLON. Just one question, Mr. Speaker.

Will the gentleman tell the Members of the House whether or not about nine thirty tonight the gentleman's leader was sitting amongst the gentlemen over there, and I heard him especially say to the gentleman from Philadelphia, Mr. O'Dare, "Jim," you are going to take orders from me or you are off our team."

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 508, as follows:

An Ace relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Secretary" The Secretary of Revenue of this Commonwealth

"Judgment" Any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected or by final affirmation on appeal rendered by a court of competent jurisdiction of any State or of the United States upon a cause of action arising out of the ownership maintenance or use of any motor vehicle for damages including damages for care and loss of services because of bodily injury to or death of any person or for damages because of injury to or destruction of property including the loss of use thereof or upon a cause of action on an agreement of settlement for such damages

"License" Any license temporary instruction permit or temporary license issued under the laws of this state pertaining to the licensing of persons to operate motor vehicles

"Motor Vehicle" Every self-propelled vehicle which is designed for use upon a highway including trailers and semi-trailers designed for use with such vehicles (except traction engines road rollers farm tractors tractor cranes power shovels and well drillers)

"Non-Resident" Evey person who is not a resident of this state

"Non-Resident's Operating Privilege" The privilege conferred upon a non-resident by the laws of this state pertaining to the operation by him of a motor vehicle or the use of a motor vehicle owned by him in this state

"Operator" Every person who is in actual physical control of a motor vehicle whether or not licensed as an operator or chauffeur under the laws of this state

"Owner" A person who holds the legal title of a motor vehicle or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this act

"Person" Every natural person firm co-partnership association or corporation

"Proof of Financial Responsibility" Proof of ability to respond in damages for liability on account of accidents occurring subsequent to the effective date of said proof arising out of the ownership maintenance or use of a motor vehicle in the amount of five thousand dollars ($5,000.00) because of bodily injury to or death of one person in any one accident and subject to said limit for one person in the amount of ten thousand dollars ($10,000.00) because of bodily injury to or death of two or more persons in any one accident and in the amount of one thousand dollars ($1,000.00) because of injury to or destruction of property of others in any one accident

"Registration" Registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles

"State" Any state territory or possession of the United States District of Columbia or any Province of the Dominion of Canada

Section 2 Secretary to Administer Act-Appeal to Court

(a) The Secretary shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration

(b) Any person aggrieved by an order or act of the Secretary under the provisions of sections four to eleven of this act may within ten days after notice thereof file a petition in the court of Common Pleas of Dauphin County for a trial de novo to determine whether such order of act is lawful and reasonable The filing of such a petition shall not suspend the order or act of the Secretary unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter The court shall summarily hear the petition and may make any appropriate order or decree

Section 3 Secretary to Furnish Operating Record

The Secretary shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall also fully designate the motor vehicles if any registered in the name of such person and if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle or of any injury or damage caused by such person the Secretary shall so certify Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident

Section 4 Effect of Failure to Report Accidents The Secretary shall suspend the license of any non-resident's operating privilege of any person who wilfully fails refuses or neglects to make report of a traffic accident as required by the laws of this state.

Section 5 Security Required Following an Accident Suspension Exceptions The Secretary shall within sixty days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death of damage to the property of any one person in excess of fifty dollars ($50.00) suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident and if such operator is a non-resident the privilege of operating a motor vehicle within this state and if such owner is a non-resident the privilege of the use within this state of any motor vehicle owned by him unless such operator or owner or both shall deposit security in a sum which shall be sufficient in the judgment of the Secretary to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such operator or owner provided notice of such suspension shall be sent by the Secretary to such operator and owner not less than ten days prior to the effective date of such suspension and shall state the amount required as security

This Section shall not apply under the conditions stated in section six or to any of the following

(1) To such operator or owner if such owner had in effect at the time of such accident an automobile liability policy with respect to the motor vehicle involved in such accident

(2) To such operator if not the owner of such motor vehicle if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him

(3) To such operator or owner if the liability of such operator or owner for damages resulting from such accident is in the judgment of the Secretary covered by any other form of liability insurance policy or bond or

(4) To any person qualifying as a self-insurer under section thirty-four

No such policy or bond shall be effective under this Section unless issued by an insurance company or surety company authorized to do business in this state except that if such motor vehicle was not registered in this state or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or bond or the most recent renewal thereof such policy or bond shall not be effective under this Section unless the insurance company or surety company if not authorized to do business in this state shall execute a power of attorney authorizing the Secretary to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident provided however every such policy or bond is subject if the accident has resulted in bodily injury or death to a limit exclusive of interest and costs of not less than five thousand dollars ($5,000.00) because of bodily injury to or death of one person in any one accident and subject to said limit for one person to a limit of not less than ten thousand dollars ($10,000.00) because of bodily injury to or death of two or more persons in any one accident and if the accident has resulted in injury to or destruction of property to a limit of not less than one thousand dollars ($1,000.00) because of injury to or destruction of property of others in any one accident

Upon receipt of notice of such accident the insurance company or surety company which issued such policy or bond shall furnish for filing with the Secretary a written notice that such policy or bond was in effect at the time of such accident

Section 6 Exceptions to Requirement of Security The requirements as to security and suspension in Section five shall not apply

(1) To the operator or the owner of a motor vehicle involved in an accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner

(2) To the operator or the owner of a motor vehicle legally parked at the time of the accident

(3) To the owner of a motor vehicle if at the time of the accident the vehicle was being operated without his permission express or implied or was parked by a person who had been operating such motor vehicle without such permission

(4) If prior to the date that the Secretary would otherwise suspend license and registration or non-resident's operating privilege under Section Five there shall be filed with the Secretary evidence satisfactory to him that the person who would otherwise have to file security has been released from liability or been finally adjudicated not to be liable or has executed a warrant for con-

fession of judgment payable when and in such instalments as the parties have agreed to or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in instalments with respect to all claims for injuries or damages resulting from the accident

Section 7 Duration of Suspension The license and registration and non-resident's operating privilege suspended as provided in Section Five shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until

(1) Such person shall deposit or there shall be deposited on his behalf the security required under Section Five or

(2) One year shall have elapsed following the date of such accident and evidence satisfactory to the Secretary has been filed with him that during such period no action for damages arising out of such accident has been instituted or

(3) Evidence satisfactory to the Secretary has been filed with him of a release from liability or a final adjudication of non-liability or a warrant for confession of judgment or a duly acknowledged written agreement in accordance with Clause four of Section six Provided however That in the event there shall be any default in the payment of any instalment under any confession of judgment then upon notice of such default the Secretary shall forthwith suspend the license and registration or non-resident's operating privilege of such person defaulting which shall not be restored unless and until the entire amount provided for in said confession of judgment has been paid and Provided further That in the event there shall be any default in the payment of any instalment under any duly acknowledged written agreement then upon notice of such default the Secretary shall forthwith suspend the license and registration or non-resident's operating privilege of such person defaulting which shall not be restored unless and until (1) such person deposits and thereafter maintains security as required under Section Five in such amount as the Secretary may then determine or (2) one year shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this state

Section 8 Application to Non-residents Unlicensed Drivers and Unregistered Motor Vehicles In case the operator or the owner of a motor vehicle involved in an accident within this state has no license or registration he shall not be allowed a license or registration until he has complied with the requirements or this act to the same extent that would be necessary if at the time of the accident he had held a license and registration

Section 9 Form and Amount of Security The security required under this act shall be in such form and in such amount as the Secretary may require but in no case in excess of the limits specified in Section Five in reference to the acceptable limits of a policy or bond The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and at any time while such deposit is in the custody of the Secretary or State Treasurer the person depositing it may in writing amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons provided however that a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident

The Secretary may reduce the amount of security ordered in any case within six months after the date of the accident upon the production of evidence as to the probable measure or damages and if in his judgment the amount ordered is excessive In case the security originally ordered has been deposited the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith notwithstanding the provisions of Section Ten

Section 10 Custody Disposition and Return of Security Security deposited in compliance with the requirements of this act shall be placed by the Secretary in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made for damages arising out of the accident in question in an action at law begun not later than one year after the date of such accident or within one year after the date of deposit of any security under Subsection three of Section Seven and such deposit or any balance thereof shall be returned to the depositor or his personal representative when evidence satisfactory to the Secretary has been filed with him that there has been a release from liability or a final adjudication of non-liability or a warrant for confession of judgment or a duly acknowledged agreement in accordance with Clause four of Section Six or whenever after the expiration of one year from the date of the accident or within one year after the date of deposit of any security under Clause Three of Section Seven the Secretary shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid

Section 11 Matters Not to be Evidence in Civil Suits Neither the report required by Section Four the action taken by the Secretary pursuant to this Act the findings if any of the Secretary upon which action is based nor the security filed as provided in Section Five shall be referred to in any way nor be any evidence of the negligence or due care of either party at the trial of any action at law to recover damages

Section 12 Courts to Report Non-Payment of Judgments Whenever any person fails with sixty days to satisfy any judgment it shall be the duty of the clerk of the court or of the judge of a court which has no clerk in which any such judgment is rendered within this state to forward to the Secretary immediately after the expiration of said sixty days a certified copy of such judgment

If the defendant named in any certified copy of a judgment reported to the Secretary is a non-resident the Secretary shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registration certificates of the state of which the defendant is a resident

Section 13 Suspension for Non-payment of Judgments Exceptions

(a) The Secretary upon receipt of a certified copy of a judgment shall forthwith suspend the license and registration of any resident operator or owner and any non-resident's operating privilege of any person against whom such judgment was rendered except as hereinafter otherwise provided in this Section and in Section Sixteen

(b) If the judgment creditor consents in writing in such form as the Secretary may prescribe that the judgment debtor be allowed license and registration of non-resident's operating privilege the same may be allowed by the Secretary in his discretion for six months from the date of such consent and thereafter until such consent is revoked in writing notwithstanding default in the payment of such judgment or of any instalments thereof prescribed in Section Sixteen provided the judgment debtor furnishes proof of financial responsibility

(c) Any person whose license registration or non-resident's operating privilege has been suspended or is about to be suspended or shall become subject to suspension under the provision of this act may be relieved from the effect of such judgment as hereinbefore prescribed in this Article if such person can present to or file with the Secretary proper evidence that a bond or insurance policy as provided for in this act was in force and effect at the time of the accident resulting in the judgment and is or should be available for the satisfaction of the judgment to the extent provided for in this act

Section 14 Suspension to Continue Until Judgments Paid and Proof Given Such license registration and non-resident's operating privilege shall remain so suspended

and shall not be renewed nor shall any such license or registration be thereafter issued in the name of such person including any such person not previously licensed unless and until every such judgment is stayed satisfied in full or to the extent hereinafter provided and until the said person gives proof of financial responsibility subject to the exemptions stated in Sections Thirteen and Sixteen of this act

A discharge in bankruptcy following the rendering of any such judgment shall not relieve the judgment debtor from any of the requirements of this act

Section 15 Payments Sufficient to Satisfy Requirements Judgments herein referred to shall for the purpose of this act only be deemed satisfied

(a) When five thousand dollars ($5.000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident or

(b) When subject to such limit of five thousand dollars ($5,000.00) because of bodily injury to or death of one person the sum of ten thousand dollars ($10,000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident or

(c) When one thousand dollars ($1,000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident

Provided however That payments made in settlement of any claims because bodily injury death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this Section

Section 16 Instalment Payment of Judgments Default (a) A judgment debtor upon due notice to the judgment creditor may apply to the Court in which such judgment was rendered for the privilege of paying such judgment in instalments and the Court in its discretion and without prejudice to any other legal remedies which the judgment creditor may have may so order and fix the amounts and times of payment of the instalments

(b) The Secretary shall not suspend a license registration or a non-resident's operating privilege and shall restore any license registration or non-resident's operating privilege suspended following non-payment of a judgment when the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of such judgment in instalments and while the payments of any said instalment is not in default

(c) In the event the judgment debtor fails to pay any instalment as specified by such order then upon notice of such default the Secretary shall forthwith suspend the license registration or non-resident's operating privilege of the judgment debtor until such judgment is satisfied as provided in this act

Section 17 Proof Required Upon Certain Convictions

(a) Whenever the Secretary under any laws of this state suspends or revokes the license of any person upon receiving record of a conviction or a forfeiture of bail the Secretary shall also suspend the registration for all motor vehicles registered in the name of such person except that he shall not suspend such registration unless otherwise required by law if such person has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by such person

(b) Such license and registration shall remain suspended or revoked and shall not at any time thereafter be renewed nor shall any license be thereafter issued to such person nor shall any motor vehicle be thereafter registered in the name of such person until permitted under the motor vehicle laws of this state and not then unless and until he shall give and thereafter maintain proof of financial responsibility

(c) If a person is not licensed but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of license or for operating a motor vehicle upon the highways without being licensed to do so or for operating an unregistered motor vehicle upon the highways no license shall be thereafter issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person until he shall give and thereafter maintain proof of financial responsibility

(d) Whenever the Secretary suspends or revokes a non-resident's operating privileges by reason of a conviction or foreiture of bail such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility

Section 18 Alternate Methods of Giving Proof Proof of financial responsibility shall be furnished for each motor vehicle registered by any person required to give such proof and may be given by filing

(1) A certificate of insurance as provided in Section Nineteen or Section Twenty or

(2) A bond as provided in Section Twenty-four or

(3) A certificate of deposit of money or securities as provided in Section Twenty-five

Section 19 Certificate of Insurance as Proof

(a) Proof of financial responsibility may be furnished by filing with the Secretary the written certificate of any insurance carrier duly authorized to do business in this state certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility Such certificate shall give the effective date of such motor vehicle liability policy which date shall be the same as the effective date of the certificate and shall designate by explicit description or by appropriate reference all motor vehicles covered thereby unless the policy is issued to a person who is not the owner of a motor vehicle

(b) No motor vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility unless such motor vehicle is so designated in such a certificate

Section 20 Certificate Furnished by Non-resident as Proof

(a) The non-resident owner of a motor vehicle not registered in this state may give proof of financial responsibility by filing with the Secretary a written certificate or certificates of an insurance carrier authorized to transact business in the state in which the motor vehicle or motor vehicles described in such certificate is registered or if such non-resident does not own a motor vehicle then in the state in which the insured resides provided such certificate otherwise conforms to the provisions of this act and the Secretary shall accept the same upon condition that said insurance carrier complies with the following provisions with respect to the policies so certified

(1) Said insurance carrier shall execute a power of attorney authorizing the Secretary to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this state

(2) Said insurance carrier shall agree in writing that such policies shall be deemed to conform with the laws of this state relating to the terms of motor vehicle liability policies issued herein

(b) If any insurance carrier not authorized to transact business in this State which has qualified to furnish proof of financial responsibility defaults in any said undertakings or agreements the Secretary shall not thereafter accept as proof any certificate of said carrier whether theretofore filed or thereafter tendered as proof as long as such default continues

Section 21 "Motor Vehicle Liability Policy" Defined

(a) A "motor vehicle liability policy" as said term is used in this act shall mean an owner's or an operators

policy of liability insurance certified as provided in Section Nineteen of Section Twenty as proof of financial responsibility and issued except as otherwise provided in Section Twenty by an insurance carrier duly authorized to transact business in this state to or for the benefit of the person named therein as insured

(b) Such owner's policy of liability insurance

(1) Shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted and

(2) Shall insure the person named therein and any other person as insured using any such motor vehicle or motor vehicles with the express or implied permission of such named insured against loss from the liability imposed by law for damages arising out of the ownership maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada subject to limits exclusive of interest and costs with respect to each such motor vehicle as follows five thousand dollars ($5,000.00) because of bodily injury to or death of one person in any one accident and subject to said limit for one person ten thousand dollars ($10,000-.00) because of bodily injury to or death of two or more persons in any one accident and one thousand dollars ($1,000.00) because of injury to or destruction of property of others in any one accident

(c) Such operator's policy of liability insurance shall insure the person named as insured therein against loss from the liability imposed upon him by law for damages arising out of the use by him of any motor vehicle not owned by him within the same territorial limits and subject to the same limits of liability as are set forth above with respect to an owner's policy of liability insurance

(d) Such motor vehicle liability policy shall state the name and address of the named insured the coverage afforded by the policy the premium charged therefor the policy period and the limits of liability and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this act as respects bodily injury and death or property damage or both and is subject to all the provisions of this act

(e) Such motor vehicle liability policy shall not insure any liability under any workmen's compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment other than domestic of the insured or while engaged in the operation maintenance or repair of any such motor vehicle nor any liability for damage to property owned by rented to in charge of or transported by the insured

(f) Every motor vehicle liability policy shall be subject to the following provisions which need not be contained therein

(1) The liability of the insurance carrier with respect to the insurance required by this act shall become absolute whenever injury or damage covered by said motor vehicle liability policy occurs said policy may not be cancelled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy

(2) The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of such injury or damage

(3) The insurance carrier shall have the right to settle any claim covered by the policy and if such settlement is made in good faith the amount thereof shall be deductible from the limits of liability specified in clause two of subsection (b) of this Section

(4) The policy the written application therefor if any and any rider or endorsement which does not conflict with the provisions of the act shall constitute the entire contract between the parties

(g) Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy and such excess or additional coverage shall not be subject to the provisions of this act With respect to a policy which grants such excess or additional coverage the term "motor vehicle liability policy" shall apply only to that part of the coverage which is required by this Section

(h) Any motor vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this act

(i) Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance

(j) The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements

(k) Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy

Section 22 Notice of Cancellation or Termination of Certified Policy When an insurance carrier has certified a motor vehicle liability policy under Section Nineteen or Section Twenty the insurance so certified shall not be cancelled or terminated until at least ten days after a notice of cancellation or termination of the insurance so certified shall be filed in the office of the Commissioner except that such a policy subsequently procured and certified shall on the effective date of its certification terminate the insurance previously certified with respect to any motor vehicle designated in both certificates

Section 23 Act Not to Affect Other Policies (a) This act shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this state and such policies if they contain an agreement or are endorsed to conform to the requirements of this act may be certified as proof of financial responsibility under this act

(b) This act shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured's employ or on his behalf of motor vehicles not owned by the insured

Section 24 Bond as Proof (a) Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within this state or a bond with at least two indvidual sureties each owning real estate within this state and together having equities equal in value to at least twice the amount of such bond which real estate shall be schedeuled in the bond approved by a judge of a court of record which said bond shall be conditioned for payment of the amounts specified in Section One Such bond shall be filed with the Secretary and shall not be cancellable except after ten days' written notice to the Secretary Such bond shall constitute a lien in favor of the state upon the real estate so scheduled of any surety which lien shall exist in favor of any holder of a final judgment against the person who has filed such bond for damages including damages for care and loss of services because of bodily injury to or death of any person or for damages because of injury to or destruction of property including the loss of use thereof resulting from the ownership maintenance use or operation of a motor vehicle after such bond was filed upon the filing of notice to that effect by the Secretary in the office of the prothonotary of the county where such real estate shall be located The prothonotary upon receipt of notice from the Secretary shall index the lien in the names of the persons owning such real estate

(b) If such judgment rendered against the principal on such bond shall not be satisfied within sixty days after it has become final the judgment creditor may for

his own use and benefit and at his sole expenses bring an action or actions in the name of the state against the company or persons executing such bond including an action or proceeding to enforce any lien that may exist upon the real estate of a person who has executed such bond Such lien may be enforced by writ of scire facias

Section 25 Money or Securities as Proof (a) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein has deposited with him eleven thousand dollars ($11,000) in cash or securities such as may legally be purchased by savings banks or for trust funds of a market value of eleven thousand dollars ($11,000) The State Treasurer shall not accept any such deposit and issue a certificate therefor and the Secretary shall not accept such certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides

(b) Such deposit shall be held by the State Treasurer to satisfy in accordance with the provisions of this act any execution on a judgment issued against such person making the deposit for damages including damages for care and loss of services because of bodily injury to or death of any person or for damages because of injury to or destruction of property including the loss of use thereof resulting from the ownership maintenance use or operation of a motor vehicle after such deposit was made Money or securities so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid

Section 26 Owner May Give Proof for Others Whenever any person required to give proof of financial responsibility hereunder is or later becomes an operator in the employ of any owner or is or later becomes a member of the immediate family or household of the owner the Secretary shall accept proof given by such owner in lieu of proof by such other person to permit such other person to operate a motor vehicle for which the owner has given proof as herein provided The Secretary shall designate the restrictions imposed by this Section on the face of such person's license

Section 27 Substitution of Proof The Secretary shall consent to the cancellation of any bond or certificate of insurance or the Secretary shall direct and the State Treasurer shall return any money or securities to the person entitled thereto upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this act

Section 28 Other Proof May Be Required Whenever any proof of financial responsibility filed under the provisions of this act no longer fulfills the purposes for which required the Secretary shall for the purpose of this act require other proof as required by this act and shall suspend the license and registration or the non-resident's operating privilege pending the filing of such other proof

Section 29 Duration of Proof When Proof May Be Cancelled or Returned The Secretary shall upon request consent to the immediate cancellation of any bond or certificate of insurance or the Secretary shall direct and the State Treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this act as proof of financial responsibility or the Secretary shall waive the requirement of filing proof in any of the following events

(1) At any time after three years from the date such proof was required when during the three year period preceding the request the Secretary has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license registration or non-resident's operating privilege of the person by or for whom such proof was furnished or

(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle or

(3) In the event the person who has given proof surrenders his license and registration to the Secretary Provided however That the Secretary shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon a liability covered by such proof is then pending or any judgment upon any such liability is then unsatisfied or in the event the person who has filed such bond or deposited such money or securities has within one year immediately preceding such request been involved as an operator or owner in any motor vehicle accident resulting in injury or damage to the person or property of others An affidavit of the applicant as to the nonexistence of such facts or that he has been released from all of his liability or has been finally adjudicated not to be liable for such injury or damage shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the Secretary

Whenever any person whose proof has been cancelled or returned under clause three of this Section applies for a license or registration within a period of three years from the date proof was originally required any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such three-year period

Section 30 Transfer of Registration to Defeat Purpose of Act Prohibited If an owner's registration has been suspended hereunder such registration shall not be transferred nor the motor vehicle in respect of which such registration was issued registered in any other name until the Commissioner is satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this act Nothing in this section shall be held to apply to or affect the registration of any motor vehicle sold by a person who pursuant to the terms or conditions of any written instrument giving a right of repossession has exercised such right and has repossessed such motor vehicle from a person whose registration has been suspended under the provisions of this act This act shall not in any wise effect the rights of any conditional vendor chattel mortgage or lessor of a motor vehicle registered in the name of another as owner who becomes subject to the provisions of this act

Section 31 Surrender of License and Registration Any person whose license or registration shall have been suspended as herein provided or whose policy of insurance or bond when required under this act shall have been cancelled or terminated or who shall neglect to furnish other proof upon request of the Secretary shall immediately return his license and registration to the Secretary If any person shall fail to return to the Secretary the license or registration as provided herein the Secretary shall forthwith direct any peace officer to secure possession thereof and to return the same to the Secretary

Section 32 Other Violations Penalties (a) Any person whose license or registration or non-resident's operating privilege has been suspended or revoked under this act and who during such suspension or revocation drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway except as permitted under this act shall be fined not more than five hundred dollars ($500) or imprisonment not exceeding six (6) months or both in the discretion of the court

(b) Any person wilfully failing to return license or registration as required in Section Thirty-One shall be fined not more than five hundred dollars ($500) or imprisoned not to exceed thirty (30) days or both in the discretion of the court

(c) Any person who shall forge or without authority sign any notice provided for under Section Five that a policy or bond is in effect or any evidence of proof of financial responsibility or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority shall be fined not more than one thousand dol-

lars ($1000) or imprisoned not more than one (1) year or both in the discretion of the court

(d) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be fined not more than five hundred dollars ($500) or imprisoned not more than ninety (90) days or both in the discretion of the court

Section 33 Exceptions This act shall not apply with respect to any motor vehicle owned by the United States this state or any political subdivision of this state or any municipality therein

Section 34 Self-insurers (a) Any person in whose name more than twenty-five motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Secretary as provided in subsection (b) of this Section

(b) The Secretary may in his discretion upon the application of such a person issue a certificate of self-insurance when he is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person

(c) Upon not less than five days' notice and a hearing pursuant to such notice the Secretary may upon reasonable grounds cancel a certificate of self-insurance Failure to pay any judgment within thirty days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance

Section 35 Past Application of Act This act shall not apply with respect to any accident or judgment arising therefrom or violation of the motor vehicle laws of this state occurring prior to the effective date of this act

Section 36 Act Not to Prevent Other Process Nothing in this act shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other processes provided by law

Section 37 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it

Section 38 Constitutionality If any part or parts of this act shall be held unconstitutional such unconstitutionality shall not affect the validity of the remaining parts of this act The legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts thereof would be declared unconstitutional

Section 39 Title of Act This act may be cited as the Motor Vehicle Safety Responsibility Act

Section 40 The act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" as last amended by the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 855) is hereby repealed

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 41 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DILLON. Mr. Speaker, I rise at this time in support of Senate Bill 508 relative to the responsibility laws of Pennsylvania.

An important legislative proposal has been introduced into the Pennsylvania Legislature under the sponsorship of the Pennsylvania Motor Federation and its affiliated AAA Clubs.

This measure, introduced by Senator Jacob W. Carr, past President of the Butler County Motor Club, is known as Senate Bill No. 508. It is the Pennsylvania version of the modernized AAA Safety Responsibility Bill. It is the product of the combined thought of a number of national groups interested in safety and protection on our highways including, in addition to the AAA, the American Bar Association.

The purpose of Senate Bill No. 508 is to encourage highway safety and to provide wider indemnification to the public for injuries and property damage sustined as a result of accidents caused by motor vehicles on the highways of Pennsylvania.

The bill is similar to progressive legislation of this type which has met the test of experience in New Hampshire, New York, Indiana, Michigan, and has recently become operative in Virginia. The bill provides that any motorist having an accident on our highways resulting in injury to persons or in damage to property in excess of fifty dollars must either make a settlement with the injured person or post security in an amount adequate to take care of the pecuniary damages inflicted within a period not to exceed sixty days, or his or her license will be revoked until the damages are settled or the case is adjudicated.

The bill is the American way to make certain, first, that motorists drive carefully to avoid the penalties of their negligence and, second, that they provide protection against injuries resulting from their privilege of operating a motor vehicle on our State highways. It does not follow the compulsory insurance feature of requiring every motorist to carry only liability insurance, which has never received favorable consideration except in one State. It does say in effect to the motorist, "Make certain you protect the public or drive so carefully you will have no accidents and thus be deprived of your right to drive."

Three outstanding effects have resulted in States where the plan has had a reasonable period of trial. In the first place, the number of persons insured has increased to 75% to 80% of the motorists. Second, those not insured have driven under fear of penalty of loss of license in case of accident and have been more careful. Third, thousands upon thousands of reckless, irresponsible drivers have been taken off the highways.

The bill has had the widest kind of public approval from all classes and particularly from motorists. In Maryland, where a similar measure is now pending in the legislature, the AAA Automobile Club of Maryland sent out a questionnaire explaining the bill and asking for the opinion of members. Out of three thousand replies received, only sixty-five opposed the bill.

The administration of the bill would be in the hands of the Safety Division of the Department of Revenue. Every accident involving personal injury or property damage in excess of fifty dollars would be reported to that division just as is the case now. At the same time the automobile owner would report the accident to his insurance carrier where he carried insurance. In that case the insurance carrier would file a certificate of insurance and the division would settle the matter

without further action as far as this provision of the law is concerned.

If, however, no protection was carried for the public, notice would go out before sixty days to the person or persons involved invoking the penalties of the act. The operation of the law is automatic, it brings swift, prompt action to the reckless and irresponsible drivers. The present law provides for delays until a judgment is received. The new law goes into action within sixty days after the accident occurs.

The law does not require the administrative body to determine the question of negligence, the fact that an accident has occurred causing personal injuries or property damages in excess of fifty dollars, makes the penalties operative. There are certain limited exceptions to the operation of the law. Among them is the provision that it does not apply to vehicles properly parked or standing still when the accident occurs.

The penalties of the law apply to residents of other States too. Now, Pennsylvania residents are penalized under the New York law and soon will be in Maryland when the law is enacted there. Residents of these States, however, are not subject to similar penalties in Pennsylvania. Enactment of the Pennsylvania law will create reciprocal penalties for motorists of these and other States driving on our highways.

This measure is a vitally important post-war project for our State. Increases in automobile accidents and deaths are already here and the tempo will be radically increased as cars become older and in poorer repair and as gasoline rations increase as we approach the post-war period. With the cessation of hostilities it will be many years before present run-down cars are replaced. The increased hazards and mounting number of cars will create a roll of deaths and injuries that will seem like "War on our Highways."

Now is the time to make Pennsylvania's contribution first to greater safety controls over our motorists and second to achieve the most important social objective in line with the spirit of the times, that persons injured or suffering serious property damage have protection provided to insure their proper compensation.

We are sure the Representatives and Senators from your district will be glad to hear your views on this legislation. Write them, see them, or telephone them urging their support of the bill. If you do not readily have their names and addresses, write or call us and we shall gladly advise you. Your prompt and effective help may be that important expression of public opinion necessary to the prompt enactment of this liberal legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—132

Barton,	Gibson,	Mahany,	Rudisill,
Baumunk,	Goodling,	McAtee,	Salus,
Bonawitz,	Gore,	McClester,	Scanlon,
Boorse,	Grant,	McCormack,	Schuster,
Bower,	Green,	McDowell,	Serrill,
Brancato,	Greenwood,	McKinney,	Shoemaker,
Breisch,	Greer,	McMillen,	Skale,
Brice,	Guthrie,	Mikula,	Sloan,
Brunner, C. H.,	Gyger,	Miller,	Smith,
Corrigan,	Hall,	Milliken,	Snider,
Coyle,	Hare,	Mooney,	Snyder,
Dague,	Haudenshield,	Moore, C. E.,	Sollenberger,
Dalrymple,	Helm,	Moser,	Sorg,
Dennison,	Herman,	Munley,	Stank,
Depuy,	Hewitt,	Murray, P. G.,	Stockham,
Dillon,	Hoffman,	Nelson,	Stonier,
Dix,	Hoopes,	O'Dare,	Stuart,
Dougherty,	Howells,	O'Neill,	Swope,
Dye,	Huntley,	Owens,	Tahl,
Elder,	James,	Pentrack,	Tittle,
Elish,	Kennedy,	Pickens,	Trout,
Erb,	Kline,	Polen,	Turbett,
Ewing,	Krise,	Propert,	Turner,
Finnerty,	Kurtz,	Readinger,	Wagner,
Flack,	Laughner,	Reagan,	Waterhouse,
Fleming,	Lee,	Reese, D. P.,	Watkins,
Foor,	Leisey,	Reidenbach,	Wescott,
Fox,	Levy,	Reilly,	Wood, L. H.,
Freed,	Lichtenwalter,	Riley,	Wood, N.,
Frost,	Loftus,	Robertson,	Worley,
Fullerton,	Lyons,	Root,	Yeakel,
Gallagher,	Madden,	Rose,	Yester,
Gardner,	Madigan,	Royer,	Fiss, Speaker.

NAYS—47

Baker,	Hennihan,	Mihm,	Shaffer,
Barrett,	Hersch,	Mills,	Tate,
Boney,	Hunter,	Moore, W. J.,	Trachtman,
Brothers,	Jones,	Moran,	Trent,
Brown,	Kirley,	Murray, M. L.,	Varallo,
Cullen,	Kolankiewicz,	Nagel,	Verona,
Duffy,	Komorofski,	O'Brien,	Wachhaus,
Gaffney,	Lane,	O'Connor,	Weiss,
Getchey,	Longo,	O'Donnell,	Welsh,
Haberlen,	Lovett,	Petrosky,	White,
Hamilton,	McLanahan,	Polaski,	Wright,
Heatherington,	McNally,	Reynolds,	

NOT VOTING—28

Andrews,	Cadwalader,	Costa,	McNair,
Bentley,	Chervenak,	Coulson,	Modell,
Bentzel,	Chudoff,	Hering,	Myhan,
Boles,	Cohen,	Hoggard,	Pettigrew,
Boory,	Coleman,	Leonard,	Powers,
Brunner, P. A.,	Cook,	Lopez,	Reese, R. E.,
Burns,	Cooper,	Matthews,	Regan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 560, as follows:

An Act to amend section three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivision of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" are hereby amended to read as follows

Section 3 (d) (6) [Such attorneys as the Attorney General shall appoint and the Governor shall approve] Such attorneys as the appointing authority shall appoint and the attorney general shall approve

Section 205 Qualifications Appointment Compensation and Removal of Director

(a) The director shall be in the classified service He shall be a person who by examination shows he is familiar with the principles and methods of personnel administration and one who is in sympathy with the application to merit principles and scientific methods to public employment He shall [during the first year] receive an annual salary [of seven thousand dollars which shall not at anytime thereafter be increased by the commission] fixed by the commission with the approval of the Governor [to more than nine thousand dollars] and shall hold no other public position of profit

(b) Within ninety days after it is appointed and thereafter within ninety days after a vacancy occurs the commission shall hold a competitive examination in accordance with the provisions of this act and on the basis of that examination shall establish an employment list of persons found eligible for appointment as directors The commission shall appoint one of the three highest ranking eligibles as the director The commission shall have the same powers and duties with respect to the conduct of the examination establishment of the employment list and making an appointment therefrom that are vested in or imposed upon the director under the provisions of this act with respect to other positions in the classified service

(c) The director shall not be removed except for incompetence inefficiency neglect of duty malfeasance or misfeasance in office The commission shall furnish to the director written notice of his intended removal setting forth the reasons for such action and shall file a copy of such written notice with the Governor The director shall have ten days from the receipt of such written notice to give the commission such written answer as he may desire and shall file a copy of such written answer if any with the Governor Such notice and answer shall be made a part of the public records of the commission and of the Governor Within thirty days after receipt of such notice of removal and answer thereto the Governor shall make an investigation for the purpose of fairly determining whether the director shall continue in this position or should be removed therefrom Within twenty days after the completion of such investigation or sooner if practicable the Governor shall make his findings and conclusions which shall be forthwith certified to and enforced by the commission The Governor's findings and conclusions shall constitute a part of the public records of the commission and for the Governor

Section 206 Powers and Duties of Director The director [shall be the chief executive officer of the commission and] except as otherwise provided in this act shall direct and supervise all the administrative work He shall have power and it shall be his duty under the direction and supervision of the commission

(1) To appoint from employment lists established under this act such examiners investigators clerks and other assistants as may be necessary to carry out this act and to supervise and direct this work

(2) To attend the meetings of the commission act as its secretary and record its official actions

(3) To prepare and recommend to the commission rules and amendments thereto

(4) To establish and maintain a record of all employes in the service of the Commonwealth showing for each such person the date appointed or employed the title of the position held the rate of compensation and every change in his status including increases and decreases in pay changes in title transfers sick and annual leaves with or without pay and such other data as he may consider desirable and pertinent

(5) To administer and make effective the provisions of this act and of the rules made thereunder including those relating to the preparation after advice and counsel with appointing authorities and administration of classification and compensation plans the preparation and conduct of examinations the preparation of eligible lists the certification of persons qualified for employment the transfer promotion suspension demotion removal furlough leave of absence and resignation of employes the rating of employes' services the requiring of health examinations at the discretion of appointing authorities as a condition of initial or continued employment the checking and certification of pay-rolls before payment the conduct of programs [of employe training and] concerning working conditions affecting the health and safety of employes

(6) To investigate the effect of the administration of this act and of the rules made thereunder and to report his findings and recommendations to the commission

(7) To appoint with the approval of the commission one employe to be his deputy The person selected as deputy may be one of the three remaining highest ranking persons on the eligible list for the position of director or one of the three highest ranking persons on an eligible list established by an examination for the position of deputy director which examination and ratings shall be in a like manner and under the same conditions as provided in this act for other classes of positions The salary of the deputy shall be established by the commission with the approval of the Governor In case of the absence of the director or his inability from any cause to discharge the powers and duties of his office such powers and duties shall devolve upon his deputy

(8) To make a biennial report in writing not later than September first of each even-numbered year to the commission concerning the administrative work of the commission including pertinent information and recommendations

(9) To do any act or acts required by this act [or the rules made thereunder or which may be necessary to carry into effect their provisions and purpose] or directed by the commission or the rules made thereunder

Section 501 Examination Requisite for Appointment and Promotion (a) Except as otherwise provided in this act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the result of examination given by the director to determine the relative merit of candidates Such examinations shall be written and competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application The director shall prepare the proper State and district employment and promotion eligible lists Any person who has passed the examination may be placed on the employment list for

offices designated as district officers if such person indicates his desire for employment in such office The appointing authority for that office may at its discretion refuse to consider such a person for appointment if he does not have legal residence in that district and may request that the director certify only persons having legal residence in that district provided however that the option of refusing consideration to persons not having legal residence in the district is automatically voided at any time that the employment list does not contain the names of persons having legal residence in the district Limitations as to age sex health moral character experience and other qualifications may be specified in the rules of the commission and in the announcements of the examinations All applications for positions in the classified service shall be under oath As far as is in the judgment of the commission consistent with the best interest of the Commonwealth vacanicies shall be filled by promotion The commission [upon recommendation of the director] may limit competition in promotion examinations to employes in the classified service who have completed their probationary period in a class or classes designated in the public notice of the examination and may permit promotions to be accomplished by any one of the three following plans (1) by appointment from open competitive lists or (2) by appointment without examination if the person has completed his probationary period and if he meets the minimum requirements for the higher position or (3) by achieving a place on an eligible list after a promotional examination such examination having been given at the request of the appointing authority

Section 502 Nature of Examinations The director shall give examinations to establish employment and promotion lists The tests in such examination [shall] may be written and may also include oral tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors Such tests shall be practical in character and shall relate to the duties and responsibilites of the position for which the applicant is being examined and shall fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possesed of any scholastic education in order to be permitted to take any competitive examination or to be appointed or promoted to any position No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate

Section 505 Ratings of Competitors The final earned rating of a person competing in any examination shall be [determined by the weighted average of earned ratings in the tests] attained by computing the ratings for each part or parts of the examination the qualifying point for which is set by the director under the direction of the commission according to weights for each test established by the director with the approval of the commission The director shall send notice by mail to all competitors informing them whether they have attained a place upon the list and informing those who have attained a place upon the list of [their final earned ratings] the number who took the examination the number on the list and of their relative standing upon the list

Section 506 Establishment of Employment and Promotion Lists The director shall establish and maintain such employment and promotion lists for the various classes of positions in the classified service as are necessary or desirable to meet the needs of the service These lists shall contain the names of persons arranged in the order of final earned ratings who have been given at least such minimum rating or ratings as may be fixed [in advance] for the whole examination or for the whole examination and for any one or more of the tests

Section 507 Duration of Employment and Promotion Lists [Employment and promotion lists shall continue in force for at least two years from the date of their establishment and thereafter until exhausted or repleaced by more recently prepared lists] Appointing authorities shall utilize employment and promotion lists from the date of their establishment until exhausted or replaced by more recently prepared lists provided that when an appointing authority deems it to be in the best interests of the Commonwealth the Commission shall cancel such lists if two years or more have elapsed since a competitive examination was held The director with the approval of the commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action Any persons whose announced rating or position on the list is changed by correcting any clerical errors shall be notified The commission shall have the power at any time after giving notice as required in this act and after a public hearing to cancel the whole or any part of any employment or promotion list on account of illegality or fraud in connection therewith

Section 601 Certification Whenever a vacancy is likely to occur or is to be filled in a permanent position in the classified service the appointing authority shall submit to the director a statement indicating the position to be filled [The] Unless the appointing authority elects to follow one of the alternative provisions of section 501 the director shall thereupon certify to the appointing authority the names of the three eligibles willing to accept appointment who are highest on the appropriate promotion list or employment list whichever is in existence or from the one which under the rules of the commission has priority If the appropriate list contains less than three eligibles who are willing to accept appointment the names certified may be taken from the other appropriate list to make a certification of at least three eligibles If there are less than three eligibles on appropriate eligible lists who are willing to accept appointment the director shall certify all the names on these lists If there is no appropriate eligible list the director may certify from such other list or lists as he deems the next most nearly appropriate If upon inquiry by the director any person on any promotion or employment list is found to be not available for promotion or appointment his name shall not for the time being be considered among the names from which a promotion or appointment is to be made

Section 602 Selections and Appointment of Eligibles Unless it is found to be in the interest of the service of the Commonwealth not to fill a vacant position the appointing authority within thirty days shall appoint the person whose name is or one of the persons whose names are certified by the director If the vacant position is to be filled from among the names of employes on the appropriate promotion list which have been submitted to the appointing authority he shall select a person provided he is among the three highest ranking persons on such list or that his final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list In making the second promotion in the same class of position the appointing authority in like manner shall select a person from among the three highest ranking persons remaining on such list or he shall select a person whose final mark or grade is not more than one point below the mark or grade of the highest ranking person remaining on such list The third and any additional promotions in the same class of position shall be made in like manner If the vacant position is to be filled from among the names of persons certified from the employment list by the director to the appointing authority he shall select a person from among the three highest ranking persons for the class of position to be filled For the second vacancy in the same

class of position the appointing authority shall make selection from among the three highest ranking persons remaining on such list who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filled in like manner After a name has been rejected three times by an appointing authority in favor of others on the same eligible list such name shall not again be certified to that appointing authority except upon written request from the appointing authority Appointing authorities shall promptly report to the director the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the director and if it be found that the refusal has been made for improper or insufficient reasons the director shall after giving ten days' notice to such person remove his name from the list Provided however That the foregoing provisions shall not apply to any person who shall have served in the active military or naval service of the United States at any time after the sixth day of September one thousand nine hundred forty and prior to the termination of the present war and who shall have been honorably discharged or released from such active service and who at the time of the enactment of this amendment is employed or if at such time is serving in active military or naval service prior to such service was employed in a position as a war-duration or provisional employe in any of the offices or positions included in clause (c) of section three article one of this act and if any such person makes application to the Commission within ninety days after the enactment of this amendment or within ninety days after discharge or release from active service whichever is the latter for appointment to a position in the regular classified service in a class of service provided for the duties which he or she is performing at the time of enactment of this amendment or if at such time he or she is in active military or naval service was performing at the time he or she entered such service and notwithstanding any other provisions of this act or of any other act to the contrary and upon finding by the Commission that he or she possesses the minimum qualifications therefor such person shall be so appointed and any person who at the time of enactment of this amendment was employed as a referee in the Bureau of Employment and Unemployment Compensation of the Department of Labor and Industry or any person in a war-duration or provisional classification who was appointed prior to the fourth day of June one thousand nine hundred forty-three in any of the offices or positions included in clause (c) of section three article one of this act may make application to the Commission within thirty days after the enactment of this amendment for appointment under the regular classified service provided for the duties which he or she is performing at the time of enactment of this amendment and notwithstanding any other provisions of this act or any other act to the contrary upon finding by the Commission that he or she possesses the minimum qualifications therefor shall be so appointed Any other person appointed to such position after the enactment of this amendment shall be appointed only in the manner provided in this act for employes in the classified service

Section 802 Furlough In case a reduction in force is necessary in the classified service [the order of the furlough shall be in conformity with the established rules of the commission which shall give major weight to seniority and due weight to service ratings and other relevant factors] no employe shall be furloughed while any probationary or provisional employe is employed in the same classification and no probationary employe shall be furloughed while a provisional employe is employed in the same classification An employe shall be furloughed only if at the time he is furloughed he is within the lowest quarter among all employes of the employer in the same classification on the basis of their service ratings and within this quarter he shall be furloughed in the order of seniority

A furloughed employe shall have the right of return to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency provided that in both instances there is a vacancy with the same appointing authority The appointing authority shall promptly report to the director the names of employes furloughed together with the date the furlough of each is effective and the character of his services Under the rules a permanent employe furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employe such preference shall not be effective if it necessitates furoughing such other employe

Section 807 Removal (a) No person in the classified service shall be removed except for just cause which shall not be his race religion or political partisan or labor union affiliation To all persons in the classified service except provisional temporary and emergency employes or probationary employes who have served longer than two months written notice of [intended] removal setting forth the reasons for such action and effective date thereof must be furnished They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person [about to be] removed may desire In every case of [such intended] removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the commission by the appointin gauthority within ten days from the receipt of the written answer and shall be made a part of the public records of the commission Within thirty days after receipt of such notice of removal from an appointing authority the commission upon the request of the appointing authority or of the removed employe or upon its own behalf shall initiate an investigation which shall include a public hearing Such investigation and hearing may be conducted by the commission or by anyone designated by the commission The investigation and hearing shall be for the purpose of fairly determining whether the employe involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service At the hearing the commission or those acting for the commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case Where an investigation is conducted at the request of the removed employe the commission within ten days after the completion of such investigation and hearing or sooner if practicable shall make its findings and conclusions which shall be forthwith certified to the appointing authority If the commission finds that the action complained of was taken by the appointing authority for any political partisan religious or racial reason or because of labor union affiliation the employe shall be reinstated to his position without loss of pay In all other cases the final decision shall not be reviewable by any court but if such final decision is in favor of the employe the appointing authority shall reinstate him with the payment of so much of the salary or wages lost by him as the commission may in its discretion order The commission may in its discretion order that the name of any person whose removal from the classified service has become final and binding be placed at the head of the appropriate eligible list or that he be transferred provided that such action is taken not later than thirty days after the appointing authority has certified his decision to the commission

(b) Charges against any employe in the classified service asking for his removal for a violation of law or

for any cause enumerated in the rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the director Charges so filed shall at the discretion of the commission be recorded in its minutes be investigated and determined in the manner provided in this section

(c) Notwithstanding the provisions of this act the Governor may upon recommendation of the appointing authority suspend or remove the director and any employe if he deems such action to the best interests of the public service

(d) Demoted or furloughed employes shall have such rights of notice and hearing similar to those provided under this section for removed employes as shall be prescribed in the rules of the commission

Section 807.1 Leave of Absence An employe who has been granted a leave of absence at the discretion of an appointing authority shall upon expiration of the leave of absence have the right of return to the classification and civil service status from which leave was granted or to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency provided that in all three instances there is a vacancy with the same appointing authority If there is no vacancy to which the employe on leave can be returned he shall retain priority of return to the classification from which the leave of absence was granted for a period of one year following the date of expiration of the leave and during this time shall have precedence for employment over employes furloughed from the same classification

Section 807.2 Seniority Seniority is established for each classification in which an employe holds or has held civil service status Seniority in each classification begins with the date of first civil service employment in that classification and includes periods of subsequent employment (civil service or provisional) in other classifications in the same or higher grade

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—202

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Bonawitz,	Goodling,	McClester,	Royer,
Boney,	Gore,	McCormack,	Rudisill,
Boorse,	Grant,	McDowell,	Salus,
Boory,	Green,	McKinney,	Scanlon,
Bower,	Greenwood,	McLanahan,	Schuster,
Brancato,	Greer,	McMillen,	Serrill,
Breisch,	Guthrie,	McNair,	Shaffer,
Brice,	Gyger,	McNally,	Shoemaker,
Brothers,	Haberlen,	Mihm,	Sloan,
Brown,	Hall,	Mikula,	Smith,
Brunner, C. H.,	Hamilton,	Miller,	Snider,
Brunner, P. A.,	Hare,	Milliken,	Snyder,
Burns,	Haudenshield,	Mills,	Sollenberger,
Cadwalader,	Heatherington,	Modell,	Sorg,
Chervenak,	Helm,	Mooney,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stockham,
Cohen,	Hering,	Moore, W. J.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, L. H.,
Finnerty,	Leonard,	Propert,	Wood, N.,
Flack,	Levy,	Readinger,	Worley,
Fleming,	Lichtenwalter,	Reagan,	Wright,
Foor,	Loftus,	Reese, D. P.,	Yeakel,
Fox,	Longo,	Reese, R. E.,	Yester,
Freed,	Lopez,	Reidenbach,	Fiss,
Frost,	Lovett,		Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 490, as follows:

An Act authorizing and directing the Department of Highways to erect and construct a free bridge over the Susquehanna River from a point in the city of Harrisburg in the vicinity of Third and Forster Streets to a point in the Borough of Wormleysburg at the intersection of State Highway Routes 30 and 708 and to provide the necessary approaches thereto and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In accordance with the general policy of the Commonwealth to provide adequate connecting bridges between main highway routes lying on opposite sides of rivers the Department of Highways is hereby authorized and directed to erect and construct a free bridge over the Susquehanna River from a point in the city of Harrisburg in the vicinity of Third and Forster Streets to a point in the Borough of Wormleysburg at the intersection of State Highway Routes 30 and 708 and to acqire the necessary land for approaches thereto

In the construction of said bridge and the approaches thereto the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge and the approaches thereto shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways

Section 2 The sum of four million dollars ($4,000,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund in the

State Treasury to the Department of Highways for the construction of such bridge and the approaches thereto and for the payment of damages for property taken injured or destroyed

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, I will try to be brief on this. For some time now, I should say for two months and probably longer, we have been told, not once but many, many times that the Highway Department is going to need huge sums of money for various purposes in the post war period. We are told that they are going to need money not only for the ordinary work of the Highway Department in this Commonwealth, but they are going to need money that may be set aside with which to match grants which, of course, will be necessary for carrying out the post war program that is contemplated.

Now, Mr. Speaker, if there is anything true in that statement I wonder a little bit about enacting legislation at this time which would permit the Highway Department to get into the bridge building business. Perhaps that in itself would not be so bad, but I would like to know why a bridge to be built at Third and Foster Streets can be so specifically laid down at this time.

I do not want to go into a long talk on this thing, but I feel very, very certain that this particular bill is in some ways related to the program on which we have just made two enactments.

I am very definitely suspicious of this bill. I think it has many characteristics and earmarks that I would like to speak about, if I could use that sort of language in this House, concerning the program that we have already enacted. I intend to vote "no" on this bill, and I hope that some of the men in this House will do likewise.

Mr. COHEN. Mr. Speaker, I think perhaps since we have already voted to take over some of the other bridges that we ought to direct our energy and money to see that we get those bridges before we start building any more bridges. There has been no evidence produced to the House at least, that a bridge is necessary as indicated by this bill. Even the Post War Planning Commission has not recommended this bridge, and it seems to me they have recomended a lot of things that nobobdy knows much about.

I think whether we build this bridge is a matter for the Post War Planning Commission to dig into and determine, and until we know whether or not the bridge is necessary, whether it is a worthwhile investment and whether we ought to waste money on bridges before we can spend money for teachers that we ought to go slow and vote this one down with a resounding "no".

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—90

Barton,	Frost,	Lee,	Rose,
Baumunk,	Fullerton,	Leisey,	Royer,
Boles,	Gardner,	Lichtenwalter,	Serrill,
Bonawitz,	Getchey,	Lyons,	Shoemaker
Boorse,	Gibson,	Madden,	Skale,
Boory,	Goodling,	Madigan,	Sloan,
Bower,	Greenwood,	Mahany,	Snyder,
Breisch,	Greer,	McAtee,	Sollenberger
Brice,	Gyger,	McClester,	Sorg,
Brunner, C. H.,	Hare,	McCormack,	Stockham,
Cadwalader,	Hering,	McMillen,	Stonier,
Cook,	Herman,	Miller,	Tittle,
Coulson,	Hewitt,	Moore, C. E.,	Turbett,
Coyle,	Hoffman,	Moser,	Varallo,
Dague,	Hoopes,	Murray, P. G.,	Verona,
Dalrymple,	Howells,	Nelson,	Wachhaus,
Dennison,	Huntley,	Pickens,	Watkins,
Dillon,	Jones,	Propert,	Wood, L. H.,
Duffy,	Kennedy,	Reagan,	Wood, N.,
Dye,	Kline,	Reese, D. P.,	Yeakel,
Elder,	Komorofski,	Regan,	Fiss,
Fox,	Krise,	Reilly,	Speaker.
Freed,	Kurtz,	Riley,	

NAYS—102

Andrews,	Foor,	Mihm,	Robertson,
Baker,	Gaffney,	Milliken,	Root,
Barrett,	Gallagher,	Mills,	Rudisill,
Bentzel,	Gore,	Modell,	Salus,
Boney,	Green,	Mooney,	Scanlon,
Brancato,	Guthrie,	Moore, W. J.,	Schuster,
Brown,	Hall,	Moran,	Shaffer,
Brunner, P. A.,	Hamilton,	Munley,	Smith,
Burns,	Haudenshield,	Murray, M. L.,	Snider,
Chervenak,	Heatherington,	Myhan,	Stuart,
Chudoff,	Helm,	Nagel,	Swope,
Cohen,	Hersch,	O'Brien,	Tahl,
Coleman,	Hunter,	O'Connor,	Tate,
Cooper,	James,	O'Dare,	Trachtman,
Corrigan,	Kirley,	O'Donnell,	Trent,
Costa,	Kolankiewicz,	O'Neill,	Turner,
Cullen,	Laughner,	Owens,	Wagner,
Depuy,	Loftus,	Pentrack,	Waterhouse,
Dix,	Longo,	Petrosky,	Weiss,
Dougherty,	Lopez,	Polaski,	Welsh,
Elish,	Lovett,	Powers,	Wescott,
Erb,	Matthews,	Readinger,	White,
Ewing,	McDowell,	Reese, R. E.,	Worley,
Finnerty	McKinney,	Reidenbach,	Wright,
Flack,	McLanahan,	Reynolds,	Yester,
Fleming,	McNally,		

NOT VOTING—15

Bentley	Hennihan,	Levy,	Polen,
Brothers,	Hoggard,	McNair,	Stank,
Grant,	Lane,	Mikula,	Trout,
Haberlen,	Leonard,	Pettigrew,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 623, as follows:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions "Department" shall mean the State Department of Health

The words "public eating or drinking place" shall mean any place within this Commonwealth where food or drink is served to or provided for the public with or without charge Provided however That nothing herein contained shall apply to dining cars operated by a railroad company in interstate commerce

The word "proprietor" shall mean any person partner-

ship association or corporation conducting or operating within this Commonwealth a public eating or drinking place

The word "employe" shall include any cook waiter kitchen help chambermaid house servant or other employe of any kind in a public eating or drinking place who in any manner whatever handles or comes in contact with any food or drink served to or provided for the public and the proprietor or any member of the proprietor's family who handles said food or drink

"License" shall mean a grant to a licensee to conduct a restaurant as defined in this act

"Licensor" shall mean the health authorities of cities boroughs incorporated towns and first-class townships whenever such public eating or drinking place is located in a city borough incorporated town or first-class township and the State Department of Health whenever such public eating or drinking place is located in any other area of the Commonwealth

Section 2 From and after a period of six months after the effective date of this act it shall be unlawful for any proprietor to conduct or operate a public eating or drinking place without first obtaining a license as herein provided Such license shall be issued by the health authorities of cities boroughs incorporated towns and first-class townships whenever such public eating or drinking place is located in a city borough incorporated town or first class township and in townships of the second class by the Department No license shall be issued until inspection of the premises facilities and equipment has been made by the licensor and they are found adequate to the protection of the public health and comfort of patrons The fee for such license shall be one dollar ($1.00) and shall be paid into the city borough incorporated town or first-class township treasury or to the State Treasury through the Department of Revenue depending upon the location of such public eating or drinking place The license shall be renewed annually

Whenever any proprietor maintains more than one public eating or drinking place within any one city borough incorporated town or township he shall be required to apply for and procure a duplicate license for each additional eating or drinking place such duplicate license to be issued at an additional charge of fifty cents (50c) for each additional public eating or drinking place within any one city borough incorporated town or township

Section 3 Any person owning or operating or desiring to operate a public eating or drinking place or public eating and drinking places within this Commonwealth shall within thirty (30) days after the effective date hereof make application for license to the licensor on forms furnished by the licensor Said forms shall be uniform throughout the Commonwealth and shall set forth such information as the Department may require including the name and address of the applicant together with all the other information deemed necessary Before granting any license the licensor shall visit and inspect the restaurant or premises on which the applicant conducts or proposes to conduct his business The licensor may refuse to issue a license if the premises on which the applicant conducts or proposes to conduct his business or his equipment do not meet the requirements of this act or the rules and regulations of the Department The licensor shall state in writing to the applicant the reason for such refusal

Section 4 Licenses shall be granted for a period of one year from date of issue Application for renewal shall be made one month before expiration of existing license A license granted under the provisions of this act shall be renewed if no inspection by the licensor the conditions specified in Section three of this act with respect to the premises and equipment are fulfilled

Section 5 Licenses herein provided for shall specify the date of issuance the period which is covered the name of the licensee and the place licensed Such licenses shall be conspicuously displayed at all times in the place thereby licensed Licenses shall not be transferable

Section 6 Powers of the Department (a) The Department shall make such reasonable rules and regulations as may be deemed necessary for carrying out the provisions and intent of this act

(b) The Department may on its own motion or on complaint after investigation and hearing at which the licensee shall be afforded an opportunity to be heard suspended or revoked any license for any violation by the licensee his partner agent servant or employe of the provisions of this act or of any other act relating to the public health and being applicable to such public eating or drinking place or of the rules and regulations of the Department or of any of the terms conditions or provisions of the license by the licensee or any of the agents servants or employes of such licensee Notice of suspension or revocation and the reasons therefor as well as any required notice of hearing shall be given in writing to the licensee at the address contained in the license Suspension of license shall be terminated when the violation for which it was imposed has been found upon inspection to have been corrected Whenever a license is suspended or revoked no part of the fee paid therefor shall be returned to the holder

Section 7 No proprietor shall have or keep in his employ any employe who is a typhoid fever carrier or a carrier of other intestinal infections or of diphtheria or who is suffering from active tuberculosis or syphilis in its transmissible stage or who has any infectious disease or open external lesion nor shall the proprietor himself or any member of his family under the same conditions have anything to do with the handling preparation serving or providing of food or drink to the public

Section 8 No proprietor shall furnish any towel or napkin (except paper towels and napkins) to any patron of a public eating or drinking place unless such towel or napkin be laundered after each individual use thereof nor shall there be furnished to the patrons of such public eating or drinking places any dish glass or other receptacle or utensil used in eating or drinking which has not been thoroughly cleansed in the manner prescribed by the regulations of the Department since its use by another individual

Section 9 In every public eating or drinking place kitchens dining rooms cellars ice-boxes refrigerators and all places where foods are prepared kept or stored and all kitchen-ware table-ware glass-ware cutlery utensils containers or other utensils and machinery used in moving handling cutting mixing preparing or serving foods shall be kept in a clean and sanitary condition and be protected from dust dire insects and vermin in the manner prescribed by the regulations of the Department The clothing and hands of employes shall at all times be clean and sanitary No domestic pets or other animals shall be permitted where food or drink is prepared handled or stored No person shall be permitted to use for sleeping purposes any room or place in any public eating or drinking place which is regularly and customarily used for the preparation handling storing or serving of food

Section 10 All toilets and water-closets lavatories tubs sinks and drains used in or in connection with any public eating or drinking place shall at all times be kept in a clean and sanitary condition

Section 11 Any proprietor who after investigation made by the licensor has failed or refused after a reasonable interval to correct conditions found to constitute a violation of this act or of the regulations of the Department pertaining to public eating or drinking places shall have his license revoked

Section 12 Any applicant who has been refused a license or any proprietor whose license has been suspended or revoked and who feels aggrieved by the action of the licensor shall be privileged on payment of the reasonable expense of preparing the same to have such records certified to the court of common pleas of the county in which the public eating or drinking place is located for which license was refused suspended or revoked if the li-

censor be the health authorities of any city borough incorporated town or first-class township or to the court of common pleas of the county of Dauphin if the licensor be the Department whereupon the court shall review such record and proceeding and promptly enter such order and decree as the facts shall justify

Section 13 Any proprietor who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the pleace alderman or magistrate in the county in which the offense was committed be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) to be paid to said county and the costs of prosecution Upon each subsequent conviction he shall be fined not less than twenty-five dollars ($25.00) and costs of prosecution and in default of payment of such fine and costs shall be confined in the county jail for a period of not more than thirty (30) days

Section 14 This act shall become effective immediately upon its final enactment

Section 15 The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 437) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" as amended and all other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEVY. Mr. Speaker, I desire to interrogate the Majority Leader of the House.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Lehigh as to whether there has not been already a very similar bill that has been defeated in this House during the present session.

Mr. LICHTENWALTER. I do not know that that bill has been defeated. It has been recommitted to Public Health and Sanitation. This bill, while similar to one that originated in the Senate, has had a public hearing, and has been considerably amended to made it agreeable to all parties concerned at the public hearing.

Mr. LEVY. Mr. Speaker, do I understand the gentleman to say that this is not the bill that was recommitted at one time.

Mr. LICHTENWALTER. It is not, Mr. Speaker.

Mr. LEVY. Could I inquire of the gentleman from Lehigh what particular differences there are between this bill and the one that was recommitted?

Mr. LICHTENWALTER. Mr. Speaker, there were a lot of restrictions and regulations in the bill that was recommitted here in the House, particularly in the matter of food. We had a lot of operators and drug store owners complaining because of the additional facilities that they had to install in handling food over the counter and so forth. All those things have been removed. The fee has been reduced to chain stores. They pay only fifty cents per store after the initial one dollar.

Mr. LEVY. Is it not true that this particular Senate Bill bears some of the same features?

Mr. LICHTENWALTER. I would say there are some of the same features, Mr. Speaker.

Mr. LEVY. Is it not a fact that this bill would create an overlapping of the state inspectors on top of local township inspectors, or rather city inspectors?

Mr. LICHTENWALTER. Absolutely not.

Mr. LEVY. Then I inquire of the gentleman from Lehigh, what is the purpose of this piece of legislation if it seeks to do almost nothing?

Mr. LICHTENWALTER. The purpose, Mr. Speaker, is, as I think is very clearly stated in the bill, that we find there are many unsanitary places handling food. In fact Pennsylvania is far behind many of our neighboring states in the matter of restrictions and regulations in this field, and the purpose of this bill is to give us the means through legislation so that we can definitely go into these places and make them adhere to some sanitary requirements for the public health and welfare.

Mr. LEVY. Do I understand the gentleman from Lehigh that in these particular places which this bill seeks to supervise there is not now supervision over these eating places?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. LEVY. I thank the gentleman.

Mr. LICHHTENWALTER. I might say in further reply, Mr. Speaker, that in places like Indiantown Gap and the neighboring townships where they have had considerable difficulty the situation could be corrected under this bill.

Mr. LEVY. Then do I understand, Mr. Speaker, finally that this bill will seek to put supervision only in places that are not now already supervised by local statutes?

Mr. LICHTENWALTER. That is correct.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Barton,	Gibson,	Matthews,	Robertson,
Baumunk,	Goodling,	McAtee,	Root,
Bentzel	Grant,	McClester,	Rose,
Bonawitz,	Green,	McCormack,	Royer,
Boorse,	Greer,	McDowell,	Rudisill,
Bower,	Guthrie,	McKinney,	Salus,
Breisch,	Gyger,	McLanahan,	Serrill,
Brice	Hall,	McMillen,	Sloan,
Brothers,	Hamilton,	McNally,	Smith,
Brunner, C. H.,	Hare,	Mikula,	Snyder,
Brunner, P. A.,	Haudenshield,	Miller,	Sollenberger
Cadwalader,	Helm,	Milliken,	Sorg,
Chervenak,	Herman,	Modell,	Stockham,
Cook	Hewitt,	Mooney,	Stonier,
Cooper,	Hoffman,	Moore, C. E.,	Stuart,
Corrigan,	Hoopes,	Moser,	Swope,
Costa,	Howells,	Murray, P. G.,	Tabit,
Coulson,	James	Nelson,	T'ttle,
Coyle,	Kennedy,	O'Brien,	Trent,
Dague,	Kline,	O'Dare,	Trout,
Dalrymple,	Kolankiewicz,	O'Donnell,	Turbett,
Dennison,	Krise,	O'Neill,	Turner,
Depuy,	Kurtz,	Owens,	Wagner,
Dix,	Lane,	Pentrack,	Waterhouse,
Dye,	Laughner,	Petrosky,	Weiss,
Elder,	Lee,	Pettigrew,	Welsh,
Erb,	Leisey,	Pickens,	Wescott,
Ewing,	Levy,	Polaski,	Wood, L. H.,
Flack,	Lichtenwalter,	Propert,	Wood, N.,
Foor,	Loftus,	Readinger,	Worley,
Fox,	Longo,	Reagan,	Wright,
Freed,	Lopez,	Reese, D. P.,	Yeakel,
Frost,	Lyons,	Reese, R. E.,	Yester,

Fullerton,	Madden,	Reilly,	Fiss,
Gardner,	Madigan,	Riley,	Speaker.
Getchey,	Mahany,		

NAYS—55

Andrews,	Gore,	Mihm,	Schuster,
Baker,	Greenwood,	Mills,	Shaffer,
Barrett,	Haberlen,	Moore, W. J.,	Shoemaker,
Brown,	Heatherington,	Moran,	Skale,
Burns,	Hennihan,	Munley,	Snider,
Cullen,	Hersch,	Murray, M. L.,	Stank,
Dillon,	Hunter,	Myhan,	Tate,
Dougherty,	Huntley,	Nagel,	Trachtman,
Duffy,	Jones,	O'Connor,	Varallo,
Elish,	Kirley,	Polen,	Verona,
Finnerty,	Komorofski,	Powers,	Wachhaus,
Fleming,	Leonard,	Reidenbach,	Watkins,
Gaffney,	Lovett,	Reynolds,	White,
Gallagher,	McNair,	Scanlon,	

NOT VOTING—11

Bentley,	Boory,	Cohen,	Hoggard,
Boies,	Brancato,	Coleman,	Regan,
Boney,	Chudoff,	Hering,	

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 752, as follows:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by empowering institution districts to receive and maintain chronic mental patients confined in State mental hospitals or other institutions and providing for the reimbursement by the Department of Welfare for the cost of maintaining such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolishedd revising amending changing and consolidating the laws relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 401 Powers and Duties as to Care of Dependents and Children The local authorities shall have the power and it shall be their duty with funds of the institution district or of the city according to rules regulations and standards established by the State Department of Welfare

(a) To care for any dependent having a settlement in the county or city who is not otherwise cared for

(b) To contract with other local authorities for the care of any such dependent

(c) To contract with any association in Pennsylvania organized to provide a home or employment for deaf and dumb or blind persons having a settlement in the county or city or to care for any dependent having a settlement in the county or city who is deaf and dumb or blind or to help him through employment

(d) To contribute moneys to the county to pay all or part of the county cost of maintaining children in foster homes and in institutions and homes for children

(e) To pay the cost or part of the cost of the care and maintenance of mental and other patients confined in institutions State mental hospitals and other State institutions in the same manner and to the same extent as provided by law in the case of poor districts and to assume the obligations imposed by law on poor districts in respect to such care and maintenance In like manner the Commonwealth shall be liable to institution districts maintaining institutions for mental patients for payment of part of the cost of the care and maintenance of such mental patients in the same manner as provided by law in respect to the liability of the Commonwealth to poor districts

(f) [To take any other action authorized or required by law] To receive when licensed by the Department of Welfare so to do and to care for and maintain chronic mental patients confined in State mental hospitals or other institutions whether or not such persons are dependents The Department of Welfare shall reimburse such institution districts for the care and maintenance of such persons from funds appropriated to the department for that purpose Such reimbursement shall be computed monthly on the basis of the average per capita cost per patient for maintenance of mental patients in all State-owned and operated hospitals during the month for which reimbursement is made

(g) To take any other action authorized or required by law

Section 2 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHAFFER. Mr. Speaker, when I look at the calendar and bump into a bill which transfers certain duties to the counties I look at it rather closely, and when I look at the Senate History I discover that this bill under consideration was introduced into the Senate on April 23, referred to the Committee on Public Welfare and Public Assistance.

This bill transfers the care of mental patients, chronic mental patients back from the State to the various coun-

ties of the Commonwealth. In going back you will recall in the session of 1937 this General Assembly enacted a law transferring mental patients to the State. It was postponed, if my recollection is correct, in 1939, and the transfer was effected late in the year 1941. The present situation is that the Commonwealth takes care of all the mental patients, and in return for that the various counties of this Commonwealth transferred the county hospitals, equipment and everything to the Commonwealth. That is the situation as it exists today.

We find sliding in here at the last moment of this day a bill which will transfer chronic mental patients back to the counties. Why the transfer should be made,—and I am discussing the bill on its merits,—why the transfer should be made is more than I know. My own county only has institutions for indigents, that is a part of Woodville and a part of Mayview, the other part having been taken over by the State as mental institutions.

Now, this body is saying to a county where we have no institutions, "We are going to place the care of chronic mental patients upon the county."

I might further call the attention of this House to the fact that there is another bill on the calendar which will come up shortly, Senate Bill 719, page 28, of the calendar, which if enacted would take the only two institutions which are under the control of the county and give them to the State for a certain compensation.

Obviouslsy if this bill passes Allegheny County, and I imagine almost every other county in the State, will have no other institution under its control, and even though Senate Bill 719 should not pass, we have but one institution which is overcrowded, it has a waiting list, and over and above that I am sure the Members of the House realize that the mental patients cannot be put into the same institutions as indigent patients. Mental patients must be segregated, they must have a specialized type of care. The county has no mental doctors presently at its command; the county has no additional nurses at its command. Thus you can see, I believe, on a fair review of this subject that this problem is rather far reaching. This problem is not one which should be taken up in levity with the celebration and the joy which we all feel in soon being back home.

It is all right for you to pass bills, pass them. Expediting things is fine, but here in the closing moments you are all of a sudden mumbo jumbo, shifting, making no provision for it, and there is very little reason, if any for it.

Mental care itself is now placed upon the state under the law. Why mental patients, chronic mental patients, should suddenly be shifted onto the counties is something I cannot understand, and I certainly would like to hear from somebody as to the pressing need for it to be rushed through, and as to the plans what we are to do with them after it becomes law.

So I say tonight, and I ask you to examine this matter, and consider the position you are putting the counties in. I am talking not only of Allegheny County. I speak of them only because I come from there. This bill will affect all of the other counties in the same fashion, therefore, I ask that you consider this matter seriously, and I believe after you do, that you will vote this bill down.

Mr. SORG. Mr. Speaker, replying to the gentleman from Allegheny, I just want to say for the information of the House that the purpose of this bill is merely to relieve the emergency situation. Today the institutions are crowded and the care of mental patients can readily be transferred to the local districts and compensation made by the Commonwealth. It is necessary to acquire this care only for the type of patients who could be boarded out, those who are suffering from the infirmities of age, so that room may be made for those who are emergency cases, homicide cases and dangerous cases until such time as the state can acquire additional funds in their own districts.

Mr. SHAFFER. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. SHAFFER. Will the gentleman from Elk tell me whether he has any data as to any mental institutions in the state that are not now overcrowded?

Mr. SORG. I cannot, Mr. Speaker, without investigation.

Mr. SHAFFER. Did I understand the gentleman to say, that there was an emergency and that therefore the state was transferring the patients whom they could not take care of, to the county institutions to take of?

Mr. SORG. I did not make that statement, Mr. Speaker.

Mr. SHAFFER. Then I misunderstood the gentleman. Would the gentleman from Elk tell me if he has any knowledge of plans as to how these patients can be taken care of, in a general way.

Mr. SORG. I think I can, Mr. Speaker. In many cases there are mild cases of mental illness where the county district or the local district is in a position to take care of them. There is some shortage of room in State institutions to take care of the more dangerous cases and in those cases this bill would give authority to transfer the mild cases to the local district and provide compensation by the state for those cases.

Mr. SHAFFER. Mr. Speaker, will the gentleman tell me whether the county district has anything to say under the provisions of this bill whether the patients shall be turned over to them or not.

Mr. SORG. There is no particular provision that they shall be turned over. It only sets up a means for cooperation between the state and the local institutions.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, on the calendar it says, "Except cities of the first class." That means that this bill if it passes is going to affect all the counties except Philadelphia?

Mr. SORG. As I understand, Mr. Speaker, this only applies to county institution districts.

Mr. HEATHERINGTON. Is there a county institutional district in Philadelphia?

Mr. SORG. I understand that there is not. There would be no particular local district with which they might cooperate.

Mr. HEATHERINGTON. But it will affect all of the

other sixty-seven counties where they have institutions?

Mr. SORG. If they go along, yes, Mr. Speaker.

Mr. HEATHERINGTON. Now, in the case of Allegheny County where the districts are now in the hands of the Commonwealth, do you know that the county has no equipment to handle patients that you intend to give back to them?

Mr. SORG. In that case I would suggest to the county that they do not take any cases.

Mr. HEATHERINGTON. How are you going to stop them? Where are you going to put them?

Mr. SORG. There is no compulsion here that they shall take them, Mr. Speaker.

Mr. HEATHERINGTON. Where would you put them?

Mr. SORG. You would not put them, Mr. Speaker, if there were not any facilities.

Mr. HEATHERINGTON. Well then, what is the idea of passing the bill?

Mr. SORG. If they desire to take them, Mr. Speaker, then there is a provision in this measure that would permit compensation by the Commonwealth and cooperation between the State and the institution district to provide for the facilities for the mentally ill.

Mr. SHAFFER. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. SHAFFER. Mr. Speaker, does the gentleman have a copy of the bill before him?

Mr. SORG. I have the bill, Mr. Speaker.

Mr. SHAFFER. Will the gentleman from Elk turn to page 3, line 10, section 401?

Mr. SORG. I have it, Mr. Speaker.

Mr. SHAFFER. The gentleman will note on line 11 it states:

> The local authorities shall have the power and .. it shall be their duty with funds of the institution district or of the city according to rules, regulations and standards established by the State Department of Welfare.

And then it goes on to various subsections. But I ask the gentleman from Elk if that is not mandatory language.

Mr. SORG. Mr. Speaker, I do not think it is mandatory language. Once they accept the patients certainly they shall have the power and duty to do certain things.

Mr. SHAFFER. Then, turn to subsection F on page 4 that sets forth their duties. On line 14 it says:

> To receive when licensed by the Department of Welfare so to do and to care * * *

Mr. SORG. They shall have the powers to receive.

Mr. SHAFFER. It doesn't say anything about power to say "no."

Mr. SORG. It says "To receive when licensed by the Department." Mr. Speaker, I gather from that, that they must apply for a license.

Mr. SHAFFER. Does the gentleman from Elk say that the Department of Welfare could not issue a license except upon application?

Mr. SORG. That is my opinion, Mr. Speaker.

Mr. SHAFFER. Does not the gentleman from Elk think that matters like that should be in the bill instead of left for our determination and the determination of other people and all the confusion that arises therefrom?

Mr. SORG. Mr. Speaker, I think that is a fair deduction; that would be the interpretation by any court of law.

Mr. SHAFFER. I thank the gentleman from Elk.

Mr. Speaker, it is my personal opinion that this bill is merely an entering wedge to return the care and the responsibility for mental patients back to the individual counties of this Commonwealth. It has been admitted here on the floor that the language is not too clear at least. The bill itself says "They shall do things" and "It shall be their duty," and of course it is open to different interpretations. Those interpretations, though they differ, may be honest convictions and I say to you tonight that this bill needs further study to say the least, and in the old vernacular to have "possible" amendments. However, I know that tonight is not the time for that, but I do say to you in closing that this bill is going to mean quite a bit. It is true there is an emergency no doubt in the State, and I am quite familiar that the State has crowded conditions in their institutions, but I say to you tonight in the words of the gentleman from Westmoreland, "Let's be fair." The counties have emergencies too, they have institutions which are overcrowed; they have waiting lists also, and as I pointed out, in a few minutes, on page 28 of today's calendar, we are going to vote to take the only institutions that they have, that is the indigent institutions, so you are going to send them back there where there are no institutions and where you cannot deal with them even if you have money available.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. O'CONNOR. I desire to ask the gentleman from Elk if this bill is not for the purpose of getting legal sanction to what the Department of Welfare requested regarding these institutions some weeks ago?

Mr. SORG. I believe it is, Mr. Speaker, although I could not say whether there has been a request made, but I would not be surprised if there has been a request.

Mr. O'CONNOR. I desire to ask the gentleman if this is not a mandatory bill?

Mr. SORG. It is my opinion, Mr. Speaker, that it is not.

Mr. O'CONNOR. I thank the gentleman.

Mr. Speaker, some two or three months ago when this great emergency arose in this Commonwealth the Department of Welfare had more applications for mental patients in institutions than ever before in the history of the Commonwealth, and it was at this time that I became interested in one or two cases of this character. The Department of Welfare made a request, by means of a questionnaire, of the county institution districts to provide them with a list of the accommodations they would have for mental patients who have served considerable time in the state mental institutions and who have recovered to such an extent that they were no longer considered violent and could be cared for in home institutions, and asked the counties if they would take back to the respective counties patients from the state institutions who had

recovered sufficiently to be taken back, if the state institutions would admit the violent cases in the local county districts.

It is my understanding of this bill, Mr. Speaker, that there is nothing on our statutes today authorizing this procedure, and this bill is to give legal sanction to what the Commonwealth is now doing.

(Following verification of the roll and before the result was announced.)

Mr. ANDREWS. Might I point out to the Chair that eight names were stricken from the list, that not a single Member on the minority party voted "aye". It is mathematically impossible to strike eight names from the list on the majority side and no votes except one on the minority side and still have a constitutional majority, but your roll call shows that, and it cannot be done.

The SPEAKER. The Chair would say to the gentleman from Cambria that he possesses knowledge that the Chair does not possess, namely, that the affirmative roll shows a constitutional majority.

Mr. ANDREWS. From a tabulation of the list read.

The SPEAKER. No result has been announced.

Mr. ANDREWS. We have kept score as they were announced from the desk and it shows one hundred eight.

The SPEAKER. Surely the gentleman from Cambria does not wish the Chair to adopt his count as official?

Mr. ANDREWS. Certainly not, but the count came from the desk, announced by the desk.

The SPEAKER. The Chair would remind the gentleman from Cambria that there has been no official result announced from the desk.

The SPEAKER. All those Members not desiring to be recognized kindly take their seats.

Mr. LEVY. Mr. Speaker, I heard the name of the gentleman from Philadelphia, Mr. Trent on the affirmative roll.

The SPEAKER. The gentleman is not recorded on the affirmative roll.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. Moran, Yester and Sheffer.

The roll was verified and was as follows:

YEAS—99

Barton,	Gardner,	McAtee,	Salus,
Baumunk,	Getchey,	McClester,	Serrill,
Bonawitz,	Gibson,	McCormack,	Shoemaker,
Morse,	Goodling,	McDowell,	Sloan,
Bower,	Greenwood,	McKinney,	Smith,
Breisch,	Guthrie,	McMillen,	Snyder,
Brice,	Gyger,	Mikula,	Sollenberger,
Brunner, C. H.,	Hall,	Miller,	Sorg,
Cadwalader,	Haudenshield,	Milliken,	Stockham,
Cook,	Helm,	Moore, C. E.,	Stonier,
Costa,	Hewitt,	Moser,	Stuart,
Coulson,	Hoffman,	Murray, P. G.,	Tahl,
Dague,	Hoopes,	Nelson,	Tittle,
Dalrymple,	Howells,	O'Connor,	Turbett,
Depuy,	James,	O'Dare,	Turner,
Elder,	Kennedy,	Pickens,	Wachhaus,
Erb,	Kline,	Propert,	Waterhouse,
Ewing,	Krise,	Reagan,	Watkins,
Flack,	Kurtz,	Reese, D. P.,	Wescott,
Fleming,	Leisey,	Reidenbach,	Wood, L. H.,
Foor,	Lichtenwalter,	Reilly,	Wood, N.,
Fox,	Loftus,	Riley,	Worley,
Freed,	Lyons,	Robertson,	Yeakel,
Frost,	Madigan,	Root,	Fiss,
Fullerton,	Mahany,	Royer,	Speaker.

NAYS—85

Andrews,	Finnerty,	Lovett,	Powers,
Baker,	Gaffney,	Madden,	Readinger,
Barrett,	Gallagher,	Matthews,	Reese, R. E.,
Bentzel,	Gore,	McNair,	Reynolds,
Boney,	Grant,	McNally,	Rudisill,
Boory,	Green,	Mihm,	Scanlon,
Brancato,	Greer,	Mills,	Schuster,
Brothers,	Haberlen,	Modell,	Shaffer,
Brown,	Hamilton,	Moore, W. J.,	Skale,
Brunner, P. A.,	Hare,	Moran,	Snider,
Burns,	Heatherington,	Munley,	Swope,
Chervenak,	Hennihan,	Murray, M. L.,	Tate,
Chudoff,	Herman,	Myhan,	Trachtman,
Cohen,	Hersch,	Nagel,	Trent,
Coleman,	Hunter,	O'Brien,	Varallo,
Corrigan,	Kirley,	O'Donnell,	Verona,
Coyle,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorofski,	Owens,	Welsh,
Dillon,	Lane,	Pentrack,	White,
Dougherty,	Levy,	Pettigrew,	Wright,
Duffy,	Longo,	Polaski,	Yester,
Elish,			

NOT VOTING—23

Bentley,	Hering,	Leonard,	Regan,
Boles,	Hoggard,	Lopez,	Rose,
Cooper,	Huntley,	McLanahan,	Stank,
Dennison,	Jones,	Mooney,	Trout,
Dix,	Laughner,	Petrosky,	Wagner,
Dye,	Lee,	Polen,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," providing for the transfer to the Commonwealth of all grounds, lands, buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth, and for payment therefor by the Commonwealth to the political subdivisions; and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COHEN. Is it a fact that when this bill was on second reading amendments were offered and now on third reading as printed the bill does not show the amendments? If that is the fact should we vote on the bill now?

The SPEAKER. Does the Chair understand the gentleman to say that the bill on file on the Members' desks does not indicate the proper amendment?

Mr. COHEN. That is right, Mr. Speaker, Printer's No. 596.

The SPEAKER. What Printer's No. does the gentleman have?

Mr. COHEN. 596. Referring to the amendments on pages sixteen and seventeen of the bill.

The SPEAKER. For the information of the gentleman from Philadelphia, the bill on the desk shows that it was amended by the House on second reading on May 4, 1945.

Mr. COHEN. May I read for the information of the Chair——

Mr. MORAN. Mr. Speaker, a question of information.

The SPEAKER. Will the genteman from Philadelphia, Mr. Cohen, yield to the gentleman from Allegheny, Mr. Moran?

Mr. COHEN. I shall.

QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a point of information.

The SPEAKER. The gentleman will state it.

Mr. MORAN. What is the number of the bill under consideration?

The SPEAKER. Senate Bill 719.

Mr. COHEN. Mr. Speaker, on page 16, line twenty-seven there is a heavy face bracket before the word "if". The brackets carry to the end of page 16 after the word "other". On top of page 17, line 1 in italics the following words appear:

> In accordance with the provisions set forth in subsection D of section two of this act.

Then in the usual print follow the words "political subdivision * * * "

Going down to line 7, the brackets do not appear in the bill before us, making the bill in my opinion read rather unintelligently for the purpose of voting.

The SPEAKER. The Chair would advise the gentleman that the Chair will have the bill checked by the bill clerk.

Mr. COHEN. May I ask that the bill be passed over temporarily?

BILL PASSED OVER

There being no objection,

Senate Bill No. 719, Printer's No. 596

was passed over at the request of Mr. COHEN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 717, as follows:

An Act authorizing the playing of certain sports on Sunday after certain hours where the electors of a municipality or township vote in favor of the same providing for referendums to ascertain the will of the electors prescribing penalties and repealing inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "municipality" as used in this act shall be construed to include every city borough town and township of this Commonwealth

Section 2 It shall be unlawful for any person copartnership association or corporation to stage an ice skating exhibition or engage in the playing of the game of ice hockey or to conduct a rink or place for ice skating regardless whether a charge or admission thereto is made or whether labor of business is necessary to conduct or stage the same on the first day of the week commonly called Sunday before the hour of two o'clock post meridian

It shall be unlawful for any person copartnership association or corporation to stage an ice skating exhibition or engage in playing the game of ice hockey or to conduct a rink or place for ice skating regardless whether a charge or an admission thereto or incidental thereto is made or whether labor or business is necessary to conduct or stage the same on the first day of the week commonly called Sunday after the hour of two o'clock post meridian unless the voters in the municipality have first voted in avor of the holding of ice skating ice skating exhibitions and the playing of ice hockey on Sunday as hereinafter provided

Any person copartnership association or corporation violating any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of fifty dollars ($50.00) and in default of the payment of such fine and costs of prosecution such person or any member or agent of any copartnership or association of any officer or agent of any corporation responsible for such violation shall be imprisoned for a period of not more than ten (10) days

Section 3 Referendum State of Question of Ballots At the primary election in the year one thousand nine hundred forty-five (1945) there shall be submitted in the manner provided by the election laws of the Commonwealth upon petition to the county commissioners by the city or borough council or by the township commissioners or supervisors or upon petition to county commissioners by electors equal to at least twenty per centum (20%) of the highest vote cast for any candidate in the municipality at the last preceding municipal election a question to determine the will of the electors of each municipality in this Commonwealth so petitioning with respect to the holding of ice skating exhibitions and the playing of ice hockey games and the conducting of a rink or place for ice skating Such question shall be in the following form

Do you favor the conducting and staging of ice skating exhibitions and the playing of ice hockey games and the conducting of a rink or place for ice skating regardless of whether an admission charge is made or incidental thereto or whether labor or business is necessary to conduct or stage such ice skating ice skating exhibitions or to play such games after two o'clock post-meridian on Sunday	YES NO

The said question shall be printed on separate official ballots in bound form by the county commissioners of each county and sufficient number of ballots shall be furnished to the election officers in each election district of each municipality so that one ballot may be supplied to each voter at such election In districts where voting

machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes

Section 4 Returns and Computation of Votes The votes cast on such question shall be counted by the election officers and returns thereof made by them and by election officers where voting machines are used as in the case of a November election for computation at the same time and in the same manner as other returns Such election shall be governed by the election laws of the Commonwealth and all penalties provided by said laws shall apply to such elections The return board shall compute the said returns by municipalities and certify the results of the vote cast on the question to the acting chief executive officer of each municipality affected

If at the election in the year one thousand nine hundred forty-five (1945) where any such election was held as herein provided a majority of the electors in any municipality voting at said election vote in favor of ice skating ice skating exhibitions and ice hockey games on Sunday after the hour of two o'clock post meridian then upon the certification of such election return to the acting chief executive officer of such municipality as is provided in this section it shall thereafter be lawful to conduct stage manage operate or engage in an ice skating exhibition or to play ice hockey or to conduct a rink or place for ice skating from and after the hour of two o'clock post meridian on Sunday

The right to conduct stage manage operate or engage in such ice skating exhibition or ice hockey game or to conduct a rink or place for ice skating shall be subject only to those rules and regulations which govern such exhibitions or games on days of the week other than Sunday

If the vote of the electors in the municipality was not in favor of ice skating exhibitions ice hockey games and conducting rinks or places for ice skating or if no such election was held then it shall be unlawful to conduct stage manage operate or engage in such ice skating exhibition or ice hockey game or to conduct a rink or place for ice skating to which an admission charge is made or is incidental after two o'clock post meridian on Sunday

Section 5 Further Referendums In any municipality the will of the electors with respect to the conducting and staging of ice skating and ice skating exhibition or the playing of ice hockey on Sunday may after the year one thousand nine hundred forty-five (1945) but not oftener than once in five years be ascertained and the question as provided in section three of this act shall be submitted to the electors of any municipality upon demand in writing of petitioners equal to at least twenty per centum (20%) of the highest vote cast for any candidate in the municipality at the last preceding municipal election Such petition shall be filed with the corporate authorities at least sixty (60) days before the day of any primary general or municipal election except as to the primary election of the year one thousand nine hundred forty-five when such petition shall be filed at least ten (10) days before such election at which the question is to be submitted and if the petition is signed by the requisite number of petitioners it shall thereupon be certified to the county commissioners who shall cause such question to be submitted in the same manner as is provided in this act for the election in the year one thousand nine hundred forty-five (1945)

If a majority of the voters in any municipality in which ice skating ice skating exhibitions and the playing of ice hockey games are permitted from and after two o'clock post meridian on Sunday to which an admission charge is made or is incidental are not in favor of the continuance of such ice skating ice skating exhibitions and the playing of ice hockey games then upon the certification of such election return to the acting chief executive officer of such municipality as is provided in section four of this act it shall thereafter be unlawful to conduct stage manage operate or engage in such ice skating ice skating exhibitions and the playing of ice hockey games after two o'clock post meridian on Sunday but if a majority of the electors in any such municipality which has not heretofore permitted such ice skating ice skating exhibitions and the playing of ice hockey games after two o'clock post meridian on Sunday or which has not theretofore voted on such question are in favor of such ice skating ice skating exhibitions and the playing of ice hockey games then upon the certification of such fact to the acting chief executive officer of such municipality as is provided in section four of this act such ice skating ice skating exhibitions and the playing of ice hoskey games shall thereafter be lawful

Section 6 Intent of Act It is the intent of this act to provide a method whereby the will of the electors of each municipality with respect to the holding of ice skating ice skating exhibitions and the playing of ice hockey games after two o'clock post meridian on Sunday may be ascertained

Section 7 Constitutionality The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 Repeal Section one of the act approved the twenty-second day of April one thousand seven hundred ninety-four (3 Smith Laws 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation" be and the same is hereby repealed in so far as it prohibits the holding of ice skating exhibitions and the playing of ice hockey games and the conducting of a rink or place for ice skating All acts and parts of acts inconsistent herewith be and the same are hereby repealed

Section 9 Effective date This act shall be effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—88

Baker,	Gaffney,	McCormack,	Powers,
Barrett,	Gallagher,	McNally,	Reidenbach,
Boney,	Gore,	Mihm,	Reynolds,
Bower,	Grant,	Mikula,	Root,
Brancato,	Haberlen,	Mills,	Rose,
Brown,	Heatherington,	Modell,	Salus,
Brunner, P. A.,	Hennihan,	Mooney,	Scanlon,
Burns,	Herman,	Moore, W. J.,	Shaffer,
Chervenak,	Hersch,	Moran,	Shoemaker,
Chudoff,	Hunter,	Munley,	Skale,
Cohen,	Jones,	Murray, M. L.,	Stonier,
Cook,	Kirley,	Myhan,	Tahl,
Costa,	Kline,	O'Brien,	Tate,
Coyle,	Kolankiewicz,	O'Connor,	Trachtman,
Dalrymple,	Komorofski,	O'Dare,	Trent,
Depuy,	Lane,	O'Donnell,	Turner,
Dillon,	Laughner,	O'Neill,	Varallo,
Dougherty,	Leonard,	Owens,	Verona,
Duffy,	Levy,	Pentrack,	Waterhouse,
Elder,	Loftus,	Petrosky,	Weiss,
Ewing,	Lovett,	Pettigrew,	Welsh,
Finnerty,	McAtee,	Polaski,	White,

NAYS—92

Andrews,	Fullerton,	Lee,	Royer,
Barton,	Gardner,	Leisey,	Rudisill,
Bentzel,	Getchey,	Lichtenwalter,	Sloan,
Bonawitz,	Gibson,	Longo,	Smith,
Boorse,	Goodling,	Madden,	Snider,
Breisch,	Greenwood,	Madigan,	Snyder,
Brice,	Greer,	Mahany,	Sollenberger,
Brothers,	Guthrie,	McClester,	Sorg,
Brunner, C. H.,	Gyger,	McKinney,	Stockham,

Cadwalader,	Hall,	McLanahan,	Stuart,
Coleman,	Hamilton,	McMillen,	Swope,
Coulson,	Hare,	McNair,	Tittle,
Dague,	Haudenshield,	Miller,	Turbett,
Dennison,	Helm,	Moore, C. E.,	Wachhaus,
Dix,	Hewitt,	Murray, P. G.,	Watkins,
Dye,	Hoffman,	Nagel,	Wescott,
Elish,	Hoopes,	Nelson,	Wood, L. H.,
Erb,	Howells,	Pickens,	Wood, N.,
Flack,	Huntley,	Polen,	Worley,
Fleming,	James,	Propert,	Wright,
Foor,	Kennedy,	Reese, D. P.,	Yeakel,
Fox,	Krise,	Riley,	Yester,
Frost,	Kurtz,	Robertson,	Fiss, Speaker.

NOT VOTING—27

Baumunk,	Freed,	McDowell,	Reilly,
Bentley,	Green,	Milliken,	Schuster,
Boles,	Hering,	Moser,	Serrill,
Boory,	Hoggard,	Readinger,	Stank,
Cooper,	Lopez,	Reagan,	Trout,
Corrigan,	Lyons,	Reese, R. E.,	Wagner,
Cullen,	Matthews,	Regan,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 62

Mr. ROYER. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 62, Printer's No. 790.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 62, entitled: "An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth * * *' as last amended by imposing an additional tax on liquid fuels; providing for the payment thereof into the Motor License Fund; making appropriations; and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions; making an appropriation to the Joint State Government Commission for certain purposes and imposing duties on the Department of Highways."

Respectfully submit the following bill as our report:

John G. Snowden,
Edwin S. Bowers,
John H. Dent,
(Committee on the part of the Senate.)

Lloyd H. Wood,
Baker Royer,
Harry P. O'Neill,
(Committee on the part of the House of Representatives.)

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels for a limited time providing for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions and imposing duties on the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and section ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combusion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by amending section four as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 616) and section ten as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 634) to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States provided that the tax herein imposed and assessed shall be collected by and paid to the Commonweealth but once in respect to any liquid fuels

In addition to such tax an additional [emergency] State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period [for the period] beginning on the day this act becomes effective [and ending on the thirty-first day of May one thousand nine hundred and forty-five] and ending on the thirty-first day of May one thousand nine hundred and forty-seven

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional [emergency] tax of one cent per gallon or fractional part thereof collected under the provisions of this act [before June first one thousand nine hundred thirty-six] shall be paid into the [State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund] Motor License Fund and the following amounts thereof are hereby specifically appropriated for the two calendar years beginning the first day of January one thousand nine hundred forty-six for the purposes and in the manner as hereinafter set forth

Eight million five hundred thousand dollars shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated and apportioned among the said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

Eight million five hundred thousand dollars shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each such unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made

The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted by the cities boroughs towns and townships The term "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The moneys so appropriated allocated and apportioned herein from the Motor License Fund shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned for Federal projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges

The corporate authorities of the said political subdivisions shall at the time of fixing the real estate tax rate for highway road and street purposes for the calendar years one thousand nine hundred and forty-six and one thousand nine hundred and forty-seven give consideration to the anticipated revenue to be received under the provisions of this act

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-five

On the queestion,

Will the House adopt the report of the Committee of Conference?

Mr. COHEN. Mr. Speaker, everything that was said before by the gentleman from Cambria, Mr. Andrews, the gentleman from Allegheny, Mr. Baker, and myself on this side of the House still goes. We think that we are taking a terrific lacing in Philadelphia and Pittsburgh, but as we need something, we will vote for it.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.
Frost,	Lovett,		

NAYS—1

O'Brien,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 884, as follows:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All buildings acquired or erected by the City of Pittsburgh Pennsylvania for the care maintenance and treatment of tuberculosis patients by the Tuberculosis Hospital of the City of Pittsburgh the personal property within such buildings or incidental thereto and any and all other grounds and lands connected therewith or annexed thereto are hereby transferred to and vested in the Commonwealth of Pennsylvania

Section 2 Any property so transferred to and vested in the Commonwealth shall if found suitable in accordance with this act be thereafter used as a State tuberculosis hospital but if such property shall within one year thereafter be found unsuitable for such purpose or shall within one year after transfer to and use by the Commonwealth as a State tuberculosis hospital be thereafter abandoned by the Commonwealth as such a hospital before substantial improvements thereto have been made then in either event such building lands and personal property so transferred to the Commonwealth shall absolutely revert to and vest in the City of Pittsburgh and the Commonwealth shall have no further claim or title thereto

Before the management and operation of any institution is taken over by the Department of Health the Governor shall issue his proclamation setting forth the date on which the Department of Health will take over the management and operation of the institution In the event it shall be determined that the institution is to be closed the Governor shall issue a proclamation setting forth the date on which such institution will be closed The original of any such proclamation shall be filed in the office of the Secretary of the Commonwealth and a copy thereof shall be furnished the City of Pittsburgh authorities having charge of such institution

Section 3 The institution subject to this act which the Governor shall direct the Department of Health to operate and manage shall be operated and managed by such department as a State tuberculosis hospital in accordance with the laws of the Commonwealth relating to such hospitals The Department of Health in managing and operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of State hospitals by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments designated as The Administrative Code of one thousand nine hundred twenty-nine All tuberculosis patients in such institution at the time the management and operation thereof is assumed by the Department of Health shall have the same status as if originally admitted to a State tuberculosis hospital The Department of Health shall have power to designate the counties of the Commonwealth from which admissions may be made to such institution

The institution acquired and operated by the Commonwealth under this act as a State tuberculosis hospital shall be known as the Pittsburgh Tuberculosis State Hospital

Section 4 When the Commonwealth through the Department of Health assumes the control and management of the institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of such institution shall thereupon become employes of

the Commonwealth subject to removal by the Secretary of Health

Section 5 In the event it shall be determined that the institution subject to this act shall be closed the Department of Health shall take charge of such institution and the terms of all officers and employees and the local management of such institution shall cease and terminate The officers and employes of such institution shall thereupon become the employes of the Commonwealth subject to removal by the Secretary of Health when their services are no longer required No new patients shall be admitted to such institution after the date specified for its closing The Department of Health shall as soon as practicable transfer the patients in the institution to any other State tuberculosis hospital including any institution transferred to and being operated by the Commonwealth under any act as a State tuberculosis institution As far as practicable the department shall transfer such patients to such State tuberculosis hospital nearest to the City of Pittsburgh After the patients in such institution are transferred therefrom the Department of Health shall with the approval of the Governor turn the institution and its grounds over to the Department of Property and Supplies for use for any other State purpose as may be deemed necessary and advisable by the Governor unless such institution under the provisions of section two of this act would revert to the City of Pittsburgh in which event such institution shall be turned over to the proper authorities thereof and shall thereafter be used for such purposes as the City of Pittsburgh may determine

Section 6 After the effective date of this act and until the management and operation of the institution is formally assumed by the Department of Health or until the institution is closed under the provisions of this act but not later than the thirty-first day of May one thousand nine hundred forty-six the City of Pittsburgh shall continue to bear the expense of administering and operating the institution and the Commonwealth shall contribute towards the expense of indigent patients therein to the same extent and in the same manner as pertained under existing laws on the effective date of this act

Section 7 All amounts due the City of Pittsburgh for the care of any tuberculosis patient in the institution transferred to the Commonwealth by this act that have accrued and remain unpaid on the date that the Commonwealth shall take over the operation and management of such institution or the date such institution is closed may be collected by the city in the same manner as if the control and management of the nstitution were still vested in such city Provided however That where there is a claim against the estate of any such tuberculosis patient both on behalf of the Commonwealth and on behalf of the City of Pittsburgh and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Commonwealth and the city in the proportion of the amiunt of maintenance legally recoverable by each

Section 8 The sum of eight hundred thousand dollars ($800,000) is hereby appropriated to the Department of Health for the two fiscal years beginning the first day of June one thousand nine hundred forty-five for the purpose of general maintenance of said hospital and for the care and maintenance of patients thereof entitled to free service

Section 9 All acts and parts of act inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 127.

An Act to further amend section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes and further regulating the burial costs

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 3, by inserting after the word "class" the words: "and second class".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 156.

An Act making an appropriation to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 17, by inserting after the word "welfare" the following: "and not more than eight million dollars ($8,000,000) of this appropriation shall be expended on penal or correctional institutions."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 163.

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1304 (d), page 4, line 3, by striking out the following: "Provided That admission to such examinations shall be denied any applicant eighteen years of age or under regularly enrolled in an accredited secondary school and no applicant eighteen years of age or under not enrolled in an accredited secondary school school shall be allowed to obtain more units of secondary school credit through such examinations during any year than could be carried during any year through enrollment in an accredited secondary school."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 280.

An Act requiring the recorder of deeds of every county to report transfers of property to the commissioners of townships of the first class

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 2, by inserting after the word "county" the words: "except counties of the second class".

Amend Section 1, page 1, line 2, by inserting after the word "county" the words: "except counties of the second class".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 411.

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

With the information that the Senate has passed the same with amendments. in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend page 7, line 28, by striking out the words "(e) Acquisition of Toll Bridges out of Toll Bridge Fund Section 751 Bridge Defined"; Amend page 8, line 1, by striking out the following:

"Section 752 Acquisition of Toll Bridges Payment out of Toll Bridge Fund

Section 753 Valuation Offer to Purchase Condemnation

Section 754 Taking Possession of Bridge Payment of Purchase Price or Award

Section 755 Interest on Purchase Price or Award

Section 756 Collection of Tolls Freeing of Bridges Maintenance Repair Rebuilding."

Amend page 8, line 9, by striking out "(f)" and inserting in lieu thereof "(e)"; also line 15, by striking out "(g)" and inserting in lieu thereof "(f)"; also on page 39, Section 408, line 5, by inserting in light faced brackets the words "at his discretion"; also line 5, by inserting after the word "discretion" the words "upon compliance with the foregoing sections of this article"; also Section 715, page 82, line 6, by striking out the word "eight"; also by striking out page 89, lines 1 to 29 inclusive; also by striking out page 90, 1 to 29 inclusive; also by striking out page 91, 1 to 29 inclusive; also by striking out page 92, 1 to 29 inclusive; also page 93, lines 1 to 25 inclusive:

"(e) Acquisition of Toll Bridges out of Toll Bridge Fund

Section 751 Bridge Defined The word "bridge" as used in this subdivision of this article shall mean any bridge whereon toll is charged over any stream or river or over a stream or river or river and the facilities of any public service company and shall including the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owners of such bridge and used in the operation and maintenance of the same

Section 752 Acquisition of Toll Bridges Payment out of Toll Bridge Fund The secretary is hereby authorized to acquire on behalf of the Commonwealth bridges as defined in the preceding section of this act located wholly within the State of Pennsylvania

The acquisition of said bridges may be either by purchase or by condemnation proceedings as the secretary may deem expedient The cost of acquiring said bridges shall be paid by the Commonwealth from moneys in the Toll Bridge Fund and for such purposes the moneys in such Toll Bridge Fund are hereby specifically appropriated

Section 753 Valuation Offer to Purchase Condemnation The secretary shall whenever he determines to acquire any such bridge ascertain or estimate the value thereof and shall in writing give notice of such valuation to the owner or owners thereof Such notice shall contain an offer to purchase such bridge at the valuation made by the seecretary

In the event that the owner or owners of any such bridge refuse or neglect to accept such offer condemnation proceedings shall be instituted and carried to conclusion in the same manner as provided in sections eight hundred thirty-two to eight hundred thirty-six both inclusive of this act except the county commissioners shall not be made a party thereto

Section 754 Taking Posseession of Bridge Payment of Purchase Price or Award As soon as the secretary and said owners shall have agreed upon the price of any such bridge or as soon as the secretary shall have determined to acquire any such bridge by condemnation proceedings the secretary may at once take possession of such bridge in the name of the Commonwealth

The purchase price agreed upon for any such bridge or the amount of any award or verdict under condemnation proceedings for the acquisition of any such bridge shall be paid out of moneys in the Toll Bridge Fund by the State Treasurer upon requisition of the secretary

Should there be no funds or insufficient funds in the Toll Bridge Fund to meet any such requisition then the amount of the purchase price agreed upon for any such bridge or the amount of any award or verdict under condemnation proceedings for the acquisition of any such bridge or so much thereof as shall be necessary to increase the amount of moneys in the Toll Bridge Fund to an amount sufficient to meet such requisition and make such payment shall be transferred to the Toll Bridge Fund from the Motor License Fund by the State Treasurer and for such purposes so much money as may be necessary is hereby specifically appropriated out of the Motor License Fund Such amounts of money as shall be so transferred from the Motor License Fund to the Toll Bridge Fund for such purposes shall be reimbursed to the Motor License Fund out of the Toll Bridge Fund from time to time as the same become available therein from the proceeds realized from the sale of the bonds authorized by law to be issued and sold by the Commonwealth to defray the cost of the acquisition of toll bridges wholly within the Commonwealth

Section 755 Interest on Purchase Price or Award Until the amount of such purchase price is paid to the owner or owners of such bridge interest shall be paid thereon at the rate of six per centum (6%) Interest at the same rate shall be paid on any award or verdict under condemnation proceedings from the time of taking such bridge until the termination of such proceedings by final decree of said court or of final decree on an appeal to the Supreme or Superior Court if any be taken

Section 756 Collection of Tolls Freeing of Bridges Maintenance Repair Rebuilding The secretary upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges except as hereinafter provided until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring any and all of such bridges or as many thereof as may be acquired by the secretary within his discretion and in any event as may be acquired at a cost not exceeding in the aggregate the authorized sum of ten million dollars ($10,000,000.00) together with such interest thereon as shall have been expended by the Commonwealth and the cost of compensation of toll collectors All tolls and charges collected by the secretary shall be paid into the Motor License Fund The department shall reconstruct maintain and repair such bridges in the manner provided by law relating to State highways and bridges In case of the reconstruction of any such bridge the secretary with the approval of the Governor may reconstruct such bridge on the same location or on a location within one (1) mile thereof

Whenever the tolls collected from such bridges as may be so acquired after deduction of all moneys expended by the department for the cost of compensation of toll collectors shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring all of such bridges as may have been so acquired with interest thereon as aforesaid then all of such bridges so acquired shall become and be thereafter free bridges Such bridges shall thereafter remain in the charge and be under the control of the department and shall be thereafter maintained and kept in repair and be rebuilt by the Commonwealth in accordance with the laws relating to State highways and bridges and the State shall take over and succeed to all agreements made with any public service company for the use by the public service company of such bridges The cost of such reconstruction maintenance and repair of said bridges after the same have been freed shall be paid out of moneys appropriated to the department for the construction reconstruction and improvement of State highways

The secretary is hereby authorized to adjust readjust and fix from time to time the amounts of tolls and chages on such bridge or bridges as may be acquired under the provisions of this act for the purpose of causing each such bridge so acquired to bear as nearly as conditions and traffic will permit its proportionate share of the aggregate annual revenues to be received by the Commonwealth from toll bridges so acquired based on the cost thereof Provided however That whenever any toll bridge is acquired by the secretary at a cost of less than thirty thousand dollars ($30,000.00) the secretary shall immediately discontinue the collection of tolls and charges on such bridge and such bridge shall be a free bridge The cost of maintenance and repair of said bridge after the same has been acquired by the department shall be paid out of moneys appropriated to the department for the construction reconstruction and improvement of State highways

Also page 93, line 26, by striking out "(f)"; also page 95, line 16, by striking out "(g)"; Also page 129, Article XI, (4) line 4, by striking out "thirty-three"; also on page 146, line 7 by striking out the following: "(29) The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 395) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure thereof providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" absolutely"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Andrews,	Fullerton,	Lyons,	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Bonawitz,	Getchey,	Matthews,	Rose,
Boney,	Gibson,	McAtee,	Royer,
Boorse,	Goodling,	McClester,	Rudisill,
Boory,	Grant,	McCormack,	Salus,
Bower,	Green,	McDowell,	Scanlon,
Brancato,	Greenwood,	McKinney,	Schuster,
Breisch,	Greer,	McLanahan,	Serrill,
Brice,	Guthrie,	McMillen,	Shaffer,
Brothers,	Gyger,	McNair,	Shoemaker,
Brown,	Haberlen,	McNally,	Sloan,
Brunner, C. H.,	Hall,	Mihm,	Smith,
Brunner, P. A.,	Hamilton,	Mikula,	Snider,
Burns,	Hare,	Miller,	Snyder,
Cadwalader,	Haudenshield,	Milliken,	Sollenberger,
Chervenak,	Helm,	Mills,	Sorg,
Chudoff,	Hennihan,	Modell,	Stank,
Coleman,	Hering,	Mooney,	Stockham,
Cook,	Herman,	Moore, C. E.,	Stonier,
Cooper,	Hersch,	Moore, W. J.,	Stuart,
Corrigan,	Hewitt,	Moser,	Swope,
Costa,	Hoffman,	Munley,	Tahl,
Coulson,	Hoopes,	Murray, M. L.,	Tate,
Coyle,	Howells,	Murray, P. G.,	Tittle,
Cullen,	Hunter,	Myhan,	Trachtman,
Dague,	Huntley,	Nagel,	Trent,
Dalrymple,	James,	Nelson,	Trout,
Dennison,	Jones,	O'Brien,	Turbett,
Denuy,	Kennedy,	O'Connor,	Turner,
Dillon,	Kline,	O'Dare,	Varallo,
Dix,	Kolankiewicz,	O'Neill,	Verona,
Dougherty,	Komorofski,	Owens,	Wachhaus,
Duffy,	Krise,	Pentrack,	Wagner,
Dye,	Kurtz,	Pettigrew,	Waterhouse,
Elder,	Lane,	Pickens,	Watkins,
Elish,	Laughner,	Polaski,	Weiss,
Erb,	Lee,	Polen,	Welsh,
Ewing,	Leisey,	Powers,	Wescott,
Finnerty,	Leonard,	Propert,	White,
Flack,	Levy,	Readinger,	Wood, L. H.,
Fleming,	Lichtenwalter,	Reagan,	Wood, N.,
Foor,	Loftus,	Reese, D. P.,	Worley,
Fox,	Longo,	Reese, R. E.,	Wright,
Freed,	Lopez,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly,	Fiss, Speaker.

NAYS—10

Baker,	Gore,	Moran,	Petrosky,
Barrett,	Heatherington,	O'Donnell,	Yester,
Cohen,	Kirley,		

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 568.

An Act to add section 1209.1 to and to repeal subsections 1 2 3 4 5 6 7 7A 8 9 and 10 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1 by striking out the words, "add section 1209.1 to and to repeal subsections 1 2 3 4 5 6 7 7A 8 9 and 10 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of"; also page 1, line 4 by inserting, immediately following the word "of, the words "further amend"; also amend the title, page 2, line 1 by adding, immediately following the word "districts", the words, "and vocational school districts"; also line 4 by adding, immediately following the word "Commonwealth" the words, "and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto".

Amend Section 1, page 2, line 14 by striking out the following: "The minimum salaries of all professional employees hereinafter enumerated in the public schools of the Commonwealth except as otherwise provided by the act to which this is an amendment shall be paid by the several classes of districts in which such persons are employed and by the Commonwealth in accordance with the following schedules

1 Districts of the first class Elementary teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments fourteen (14) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) and four (4) additional annual increments of one hundred dollars ($100) each or minimum annual salary eighteen hundred dollars ($1,800) minimum annual increment one hundred seventy-five ($175) minimum number of increments six (6) and four (4) additional annual increments of one hundred dollars ($100) each high school teachers vocational school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) and four (4) additional annual increments of one hundred dollars ($100) each special class teachers minimum annual salary one thousand seven hundred dollars ($1,700) minimum annual increment one hundred dollars ($100) minimum number of increments fourteen (14) supervisors two thousand six hundred dollars ($2,600) minimum annual increment two hundred dollars ($200) minimum number of increments seven (7) department heads four thousand dollars ($4,000) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) elementary principals three thousand dollars ($3,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments seven (7) all other principals except as herein otherwise provided four thousand two hundred fifty dollars ($4,250) minimum annual increment two hundred fifty dollars ($250) minimum number of increment six (6) vice-principals or special assistants to principals four thousand one hundred dollars ($4,100) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

2 Districts of the second third and fourth class All professional employees hereinafter enumerated who hold a Bachelor's Degree from an accredited college or university shall be entitled to the following minimum annual salary Teachers one thousand four hundred dollars ($1400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided however that in school districts of the second class elementary teachers shall be entitled to two additional minimum annual increments of one hundred dollars ($100) each and high school teachers shall be entitled to four additional minimum annual increments of one hundred dollars ($100) each principals having less than thirteen (13) teachers under their supervision two thousand two hundrd dollars ($2200) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) principals having not less than thirteen (13) nor more than twenty-five (25) teachers under their supervision two thousand four hundred dollars ($2400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) principals having not less than twenty-six (26) nor more than fifty (50) teachers under their supervision two thousand eight hundred dollars ($2800) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) principals having more than fifty (50) teachers under their supervision three thousand four hundred dollars ($3400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) supervising principals having less than thirteen (13) teachers under their supervision two thousand four hundred dollars ($2400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) supervising principals having not less than thirteen (13) nor more than twenty-five (25) teachers under their supervision two thousand six hundred dollars ($2600) minimum annual increment one hundred dolars ($100) minimum number of increments eight (8) supervising

principals having not less than twenty-six (26) nor more than fifty (50) teachers under their supervision three thousand dollars ($3000) minimium annual increment one hundred dollars ($100) minimum number of increments eight (8) supervising principals having more than fifty (50) teachers under their supervision three thousand six hundred dollars ($3600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8)

Provided however that all employees in school districts of the second third and fourth class hereinbefore enumerated who do not hold a Bachelor's Degree from an accredited college or university shall be entitled to a minimum annual salary of two hundred dollars ($200) less than that hereinbefore provided but shall be entitled to the minimum annual increments in the number and amount as hereinbefore provided

3 All professional employes in all school districts of this Commonwealth hereinbefore referred to who hold a Master's Degree and who have completed five (5) years of satisfactory service in public schools shall be entitled to two (2) increments of one hundred dollars ($100) in addition to the minimum salary and increments hereinbefore provided The first of said annual increments of one hundred dollars ($100) each to the holders of a Master's Degree shall be payable during the first school term or years immediately following the acquisition of said degree or the completion of the five (5) years of satisfactory service whichever shall be the last earned

4 All professional employees who at the date of the enactment of this act are receiving a compensation from any school district equivalent to or in excess of the minimum prescribed in this act shall be placed on the schedule provided for in this act at the increment next above the compensation paid at the effective date of this act The term compensation as herein used shall include the salary and increments required to be paid under the provisions of section one thousand two hundred ten of this act prior to enactment of this amendment any temporary increase required to be paid under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 786) and any additional salary provided for by any school district whether or not such additional salary is temporary

5 The term teacher as used in this act shall include all professional employes who devote fifty percent (50%) of their time or more to teaching or other direct educational activities such as classroom teachers demonstration teachers museum teachers counsellors librarians school nurses dental hygienists home and school visitors and other similar professional employees certificated in accordance with the qualifications established by the State Council of Education

The term Bachelor's Degree as used in this act shall mean a Bachelors' Degree from a properly accredited college or university approved by the State Council of Education Teachers of industrial arts in the senior and junior high schools and teachers of industrial subjects in the vocational schools who have had six (6) years of trade experience and shall be the holders of twenty-four (24) credits under the provisions of the Act of Congress approved the twenty-third day of February one thousand nine hundred seventeen entitled "An act to provide for the promotion of vocational education to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industry to provide for

Amend section 1, page 8, beginning with line 1, by striking out the following: cooperation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditures" shall be considered as the holders of a Bachelor's Degree."

Amend section 1, page 8, line 4 by inserting after the word "degree" the following: "The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

1 Districts of the first class Elementary teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increments one hundred dillars ($100) minimum number of increments thirteen (13) junior high school and special class teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty dollars ($120) minimum number of increments ten (10) high school teachers and vocational school teachers minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) supervisors minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred dollars ($100) minimum number of increments ten (10) elementary principals minimum annual salary two thousand three hundred dollars ($2,300) minimum annual increment one hundred seventy dollars ($170) minimum number of increments ten (10) all other principals except as herein otherwise provided minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4)

2 Districts of the second class Elementary teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments nine (9) high school teachers minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments nine (9) supervisors minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals minimum annual salary two thousand two hundred dollars ($2,200) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) high school principals minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8)

3 Districts of the third and fourth class Teachers minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments seven (7) principals having less than twenty-five (25) teachers under their supervision and who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) principals having twenty-five (25) or more teachers under their supervision and who devote onehalf or more of their time to supervision and administration minimum annual salary two thousand two hundred dollars ($2,200) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) supervising principals having less than twenty-five (25) teachers under their supervision minimum annual salary two thousand four hundred dollars ($2,400) minimum annual increment one hundred dollars ($100) minimum number of increments five (5) supervising principals having twenty-five (25) or more teachers under their supervision minimum annual salary two thousand eight hundred dollars ($2,800) minimum annual increment one hundred dollars ($100) minimum number of increments five (5)

4 All professional employes in all school districts of this Commonwealth hereinbefore referred to who have earned a Master's Degree at a college or university approved by the State Council of Education and who have received all increments provided for by this act shall be entitled to two (2) additional annual increments of one hundred dollars ($100) each

5 All professional employes and temporary professional

employes who at the date of the enactment of these amendments are receiving a compensation from any school district equivalent to or in excess of the minimum prescribed in these amendments shall be placed on the schedule provided for by these amendments at the increment next above the compensation paid at the effective date of these amendments The term "compensation" as herein used shall include the salary and increments required to be paid under the provisions of section one thousand two hundred ten of this act prior to the enactment of these amendments any temporary increase required to be paid under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 786)

6 The term "teacher" as used in these amendments shall include all professional employes and temporary professional employes who devote fifty per centum (50%) of their time or more to teaching or other direct educational activities such as class room teachers demonstration teachers museum teachers counselors librarians school nurses dental hygienists home and school visitors and other similar professional employes and temporary professional employes certificated in accordance with the qualifications established by the State Council of Education

7 Substitutes shall be paid not less than the minimum salary provided for by these amendments

8 The minimum salary of all part-time teachers of children of exceptional physical or mental condition unable to attend regular public school or of part-time teachers supervisors and principals employed in the extension schools and evening vocational classes and classes of the Commonwealth established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes shall be two dollars ($2) per hour

9 Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be employed in giving instruction for only part of a day shall render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such service cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered".

Amend section 1, page 8, line 5, by striking out the number "6" and inserting in lieu thereof the number "10".

Amend section 1, page 8, line 16, by striking out the number "7" and inserting in lieu thereof the number "11".

Amend section 1, page 8, line 19, by striking out the number "8" and inserting in lieu thereof the number "12".

Amend section 1, page 8, line 23, by striking out the number "9" and inserting in lieu thereof the number "13".

Amend section 1, page 9, line 1, by striking out the number "10" and inserting in lieu thereof the number "14".

Amend section 1, page 9, line 15, by striking out the number "11" and inserting in lieu thereof the number "15".

Amend section 1, page 9, beginning with line 22 by striking out the following: "Reimbursement by the Commonwealth In order that a foundation or minimum program of education may be maintained in each school district of the Commonwealth an Equalization Fund is hereby created to be maintained by appropriations made thereto by the General Assembly for each fiscal biennium from which fund reimbursement on account of the maintenance of the foundation or minimum program is to be paid to school districts

The Equalization Fund for each fiscal biennium shall be sufficient so that appropriations from said Fund may be made annually to each school district for each reimbursement unit representing the difference between the income from a levy of five (5) mills upon the true value of all taxable real property assessed for school purposes, as now provided by law in each school district and a sum of one thousand eight hundred dolars ($1800) for the school years one thousand nine hundred forty-five one thousand nine hundred forty-six and one thousand nine hundred forty-six one thousand nine hundred forty-seven two thousand dollars ($2000) for the school years one thousand nine hundred forty-seven one thousand nine hunderd forty-eight and one thousand nine hundred forty-eight one thousand nine hundred forty-nine two thousand two hundred dollars ($2200) for the school years one thousand nine hundred forty-nine one thousand nine hundred fifty and one thousand nine hundred fifty one thousand nine hundred fifty-one and two thousand four hundred dollars ($2400) for each school year thereafter

Provided however that no district shall receive as an appropriation from said fund less than seven hundred dollars ($700) annually for each reimbursement unit

In ascertaining the number of reimbursement units in a school district in order to compute the amount of aid from the Equalization Fund of the average daily membership of the pupils on the first day of October of each year each twenty-five (25) pupils together with any remaining major fraction thereof shall be considered as constituting a reimbursement unit

Provided however that no district shall be considered as having more reimbursement units than the number of teachers supervisors principals and all other full time members of the teaching and supervisory staff in said district and if the number of such employees actually is less than the number of reimbursement units in the district reimbursement by the Commonwealth from the Equalization Fund shall be made on the basis of the actual number of such employees

Provided however That all one room schools maintained in accordance with the provisions of the Act to which this act is an amendment shall be considered as constituting a reimbursement unit regardless of the number of pupils enrolled in any such school and for the purpose of reimbursement under the provisions of this act the number of pupils enrolled in such one room schools and the number of teachers employed in any such one room schools shall not be considered in computing the number of reimbursement units in any school district other than as provided in this paragraph

13 The true value of all taxable real property in each school district shall be determined by the State Council of Education or such other agency that may hereafter be authorized by law on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction if such data and material after investigation by the State Council of Education be found correct otherwise upon such data and material as modified corrected and approved by said State Council of Education The true valuation of all taxable real property in each school district for the two fiscal years beginning on the first day of June one thousand nine hundred forty-five and ending on the thirty-first day of May one thousand nine hundred forty-seven shall be determined during the month of October one thousand nine hundred forty-five and in the month of October of the first year of each biennium thereafter The State Council of Education is hereby given full power and authority to make such investigation to take such action and to institute such proceedings as may be necessary to determine any questions that may be raised in the determination and adjustment of the aforesaid true valuation for the purposes of this act and the decision which such Council reaches on such questions shall be final and conclusive but shall not affect any assessment that may be levied by any taxing authority for local tax purposes

On the first day of November of each year each school district shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the true valuation of all taxable real estate in each school district Such certificate shall be in addition to and not in lieu of any certificate now required to be filed by law Reimbursement required to be paid under the provisions of this act shall be paid at the times now provided by law During the school year one thousand nine hundred forty-five one thousand nine hundred forty-six since under the provisions of this act the amount due each school district cannot be immediately ascertained the Superintendent of Public Instruction shall estimate the amount of reimbursement due each school district and pay such estimated amount The Superintendent of Public Instruction shall definitely ascertain the amount due each school district under the provisions of this act during said year and make an adjustment of reimbursement either by adding to a subsequent reimbursement payment by the Commonwealth or a deduction therefrom

In ascertaining the amount of reimbursement due each school district for the school year one thousand nine hundred forty-six one thousand nine hundred forty-seven the true value of all taxable real property the number of reimbursement units and all other information necessary shall be determined by the Superintendent of Public Instruction upon information filed with him by each school district during the school year one thousand nine hundred forty-five one thousand nine hundred forty-six and in like manner for each succeeding year

Provided however that each school district shall receive on account of reimbursement for salaries paid teachers and members of the supervisory staffs for the biennium one thousand nine hundred forty-five one thousand nine hundred forty-seven not less than the amount received by said districts during the biennium one thousand nine hundred forty-three one thosuand nine hundred forty-five including the amounts paid said districts under the provisions of the Act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 786)

Amend section 1, page 14, line 7, by inserting immediately following the number 786 the following: "Section 2 Article twelve of said act is hereby amended by adding at the end thereof a new subdivision to red as follows

Reimbursements By The Commonwealth and Between School Districts

Section 1241 For the purposes of this subdivision of article twelve of this act the following terms shall have the following meanings

(1) "District Pupils" of a school district shall designate all pupils enrolled in the public schools of the Commonwealth who are residents of a given school district except those pupils who are enrolled in the public schools maintained by the vocational school district the territorial limits of which include the school district "District Pupils" of a vocational school district shall designate all pupils enrolled in the public schools maintained by the vocational school district who are residents of the district

(2) "District Teaching Units" A district's number of teaching units shall be obtained as follows (1) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school (2) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school and (3) add the quotients obtained under (1) and (2) above

(3) "Average Daily Membership" shall be computed in accordance with the rules of procedure as established by the Department of Public Instruction for the school term 1944-1945

(4) "Minimum Subsidy" shall designate the minimum amount per teaching unit payable by the Commonwealth to any school district or vocational school district under the provisions of this act The minimum subsidy shall be six hundred dollars ($600)

(5) "Maximum Subsidy" shall designate the maximum amount per teaching unit which may be payable by the Commonwealth to any one school district or vocational school district under the provisions of this act The maximum subsidy for the school year 1945-1946 and the school year 1946-1947 shall be one thousand eight hundred dollars ($1,800) and for each school year thereafter two thousand dollars ($2,000)

(6) "Standard Reimbursement Fraction" School districts or vocational school district's standard reimbursement fraction shall be computed annually in the month of November by the Department of Public Instruction

In the case of a school district its standard reimbursement fraction shall be computed for the school year 1945-1946 and the school year 1946-1947 by subtracting from one thousand eight hundred dollars ($1,800) an amount determined by multiplying the school district's assessed valuation per district teaching unit by five-one thousandths (.005) and dividing the difference so obtained by one thousand eight hundred dollars ($1,800) and for the school year 1947-1948 and for every school year thereafter by subtracting from two thousand dollars ($2,000) an amount determined by multiplying the school district's assessed valuation per district teaching unit by five-one thousandths (.005) and dividing the difference so obtained by two thousand dollars ($2,000)

A school district's assessed valuation to be used for purposes of computing the standard reimbursement fraction shall be the assessed valuation of the district's taxable real property as determined for the preceding year for county tax purposes Provided That if the assessed valuation as determined for county purposes does not adequately represent the market values of the taxable property the State Council of Education may ascertain such market values and base the reimbursement to any one school district upon the market values ascertained by the State Council of Education

In the case of a vocational school district its standard reimbursement fraction shall be computed for the school year 1945-1946 and the school year 1946-1947 by subtracting from one thousand eight hundred dollars ($1,800) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by one thousand eight hundred dollars ($1,800) and for the school year 1946-1947 and for every school year thereafter by substracting from two thousand dollars ($2,000) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand dollars ($2,000)

A school district's or vocational school district's number of district teaching units for purposes of determination of the standard reimbursement fraction shall be obtained as follows (1) divided by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (2) divided by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (3) add the quotients obtained under (1) and (2) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (1) and (2) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district Provided That no school district or vocational school district shall be credited with less than one teaching unit or be assigned a reimbursement fraction lower in value than the minimum subsidy divided by the maximum subsidy Provided further That until the end of the school term during which the present hostilities shall cease as determined by proclamation of the Governor all one-room schools operated in accordance with the provisions of the act to which this is an amendment shall be credited with at least one teaching unit Upon cessation of such hostilities such one-room schools shall be

credited with at least one teaching unit only if their operation is approved by the State Council of Education

Section 1242 Every school district and every vocational school district shall be paid by the Commonwealth for the fiscal years 1945-1946 and 1946-1947 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by one thousand eight hundred dollars ($1,800) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1947-1948 and for every school year thereafter on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand dollars ($2,000) and by the district's standard reimbursement fraction

For no year shall any school district or vocational school district receive less than six hundred dollars ($600) per teaching unit

Section 1243 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school year 1945-1946 and for every school year thereafter on account of pupil transportation eligible for State reimbursement under the provisions of the act to which this is an amendment an amount to be determined by multiplying the cost of approved reimbursable pupils transportation incurred by the district by the district's standard reimbursement fraction

In addition thereto the Commonwealth shall pay to school districts and vocational school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Section 1244 Each school district regardless of classification sending high school pupils to another school district or vocational school district or to a joint high school approved by the Department of Public Instruction shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of high school tuition an amount to be determined by multiplying the sum of "overhead cost per high school pupil" and "instruction cost per high school pupil" as defined in section one thousand two hundred fifty-six of this act less the rental charge of eight dollars ($8) or in the case of district pupils attending a high school not located in this Commonwealth on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (1) by the number of district pupils sent to high schools of other districts or to a joint high school and (2) by the district's standard reimbursement fraction and (3) by seventy-five-one-hundredths (.75) and (4) subtracting from the amount so obtained the per pupil state appropriation paid to the district where the pupil attends high school multiplied by the number of pupils

Section 1245 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter the sum of thirty-five dollars ($35) in vocational agriculture and vocational industrial education twenty dollars ($20) in vocational home economics education and fifty dollars ($50) in vocational distributive education per pupil in average daily membership in vocational curriculums approved by the Superintendent of Public Instruction

Section 1246 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved traveling expenses in the discharge of teaching and supervisory responsibilities of teachers coordinators supervisors and directors in vocational education eighty per centum (80%) of the sum expended by the school district for such approved travel

Section 1247 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approval vocational extension classes at the rate of two dollars ($2) per hour of instruction approved by the Superintendent of Public Instruction

Section 1248 In the event that the Congress of the United States provides additional funds for vocational education the State Board of Vocational Education shall have authority to establish rules and regulations governing the administration and distribution of such funds

Section 1249 Every school district regardless of clasification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter the sum of twenty dollars ($20) per pupil in average daily membership in a course or courses for mentally handicapped children and the sum of thirty dollars ($30) per pupil in average daily membership in a course or courses for physically handicapped children approved by the Superintendent of Public Instruction

Section 1250 Every school district regardless of classification shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of approved extension classes and the instruction of home bound children an amount determined by multiplying the mandated minimum salaries of instructional employes conducting such classes and instructing home bound children by the district's standard reimbursement fraction

Section 1251 Every school district of the fourth class and every school district of the third class which is in or coterminous with a township shall be paid by the Commonwealth for the school term 1945-1946 and for every school term thereafter on account of closed schools the sum of two hundred dollars ($200) for each school permanently closed or discontinued in the district since one thousand nine hundred eleven or which may hereafter be permanently closed or discontinued or which was heretofore permanently closed or discontinued under the provisions of the act approved the twenty-fifth day of April one thousand nine hundred one (P. L. 105) entitled "An act to provide for the centralization of township schools and to provide high schools for townships"

Section 1252 On or before the first day of August one thousand nine hundred forty-five and on or before the first day of August of every year thereafter each school district and each vocational school district shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing attendance data for all pupils during the preceding school term classified into such groups as the Superintendent of Public Instruction shall direct together with such other information as the Superintendent of Public Instruction shall require in order to enable him to properly administer the provisions of these amendments

Section 1253 On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of full-time teachers supervisors principals and other full-time members of the teaching and supervisory staffs the number thereof employed in elementary schools and the number employed respectively in three and four year junior high schools the certificates held by each and the compensation paid each for the current school year and showing further the number of

part-time teachers supervisors and principals employed in extension schools and classes established as herein provided the certificates held by each and the compensation paid each during the preceding school year On or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of the fourth class and each vocational school district shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Section 1254 On or before the first day of July one thousand nine hundred forty-five and on or before the first day of July of every year thereafter the board of revision of taxes of counties of the first class the board of property assessment appeals and review of counties of the second class the board for the assessment and revision of taxes of counties of the third class and the county commissioners of all other counties shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the assessed valuation of all real property in each school district in the county on which the taxes for the then current year are levied

Section 1255 The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school district and vocational school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred forty-five and ending on May thirty-first one thousand nine hundred forty-seven and each biennium thereafter on the data and material contained in the certificates which school districts and vocational school districts are required by these amendments to file with the superintendent immediately preceding the beginning of each biennium The superintendent shall apportion and allot the same to and among the respective districts The amount paid to any district within any biennium shall be computed on the data and information contained in the certificates required to be filed each year as herein provided In no case shall the amount paid to any district exceed the amounts computed on such data

Section 1256 When the amount payable to each district has been ascertained and determined by the Superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district and vocational school district under the supervision of such county or district superintendent

Section 1257 The amount apportioned and alloted to each school district or vocational school district shall be divided into equal semi-annual installments and the Superintendent of Public Instruction shall draw his requisition semi-annually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be made to fourth class school districts and to vocational school districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Section 1258 The Superintendent of Public Instruction may refuse to authorize the payment of any amount payable to any school district or vocational school district for the school year commencing the first day of July one thousand nine hundred forty-five or any school year thereafter which school district or vocational school district shall at any time hereafter fail or refuse to pay to the members of its teaching and supervisory staffs the full amount of the minimum salaries and increments required by law He may continue to withhold such requisitions until provision has been made by the school district or vocational district for the payment of such minimum salaries and increments

Section 1259 In addition to the payments herein provided on account of the instruction of district pupils and on account of schools permanently closed or discontinued in any district each district shall receive its several apportionments as herein provided that shall have become due by reason of increase in the number of district pupils subsequent to the certificate to the Superintendent of Public Instruction immediately previous to the beginning of the fiscal biennium and its apportionment as herein provided for additional schools permanently closed or discontinued subsequent to such certificate Such payments shall be made after certificate to the Superintendent of Public Instruction in the biennium year in addition to the last quarterly payment of the biennium as hereinafter provided

Section 1260 A school district or vocational school district receiving elementary or high school pupils who are residents of another school district or another vocational school district shall compute the tuition charges as follows

(1) General Add the salaries of secretaries treasurers auditors superintendents the cost of library books the salaries of librarians lectures health medical nurse and dental services the wages of janitors and other comparable employes the cost of fuel water light and power the cost of maintenance of school plant including ordinary repairs but not including alterations or remodeling the cost of attendance at teachers' institutes and the district's contribution to the retirement fund on behalf of the above listed employes and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's public schools The quotient so obtained shall be designated the "overhead cost per pupil"

(2) Elementary Tuition Charge Add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's elementary schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's elementary schools the cost of text books and supplies of the second class used in the district's elementary schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district"s elementary schools The quotient so obtained shall be designated as the "instruction cost per elementary pupil" Add to the instruction cost per elementary pupil the overhead cost per pupil and a rental charge of eight dollars ($8) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of elementary school teaching units The cost so determined shall be the "tuition charge per elementary pupil"

(3) High School Tuition Charge Add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's high schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's high schools the cost of text books and supplies of the second class used in the district's high schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's high schools The quotient so obtained shall be designated as the "instruction cost per high school pupil" Add to the instruction cost per high school pupil the overhead cost per pupil and a rental charge of eight dollars ($8) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of high school teaching units The cost so determined shall be the "tuition charge per high school pupil"

Section 1261 For each elementary or high school pupil attending a public school of another district the receiving district shall bill the sending district and the sending district shall pay the amount of the tuition charge per elementary pupil or the tuition charge per high school pupil as the case may be In the case of pupils attending the receiving district's public schools for less than a full

school term the tuition charge per elementary or high school pupil shall be prorated by reference to the period of time over which such pupils actually attended the receiving district's schools

Section 1262 The board of school directors in any school district or the board of directors of vocational schools in any vocational school district maintaining an elementary school or a high school which is attended by any pupils residing in another district shall upon admission of such pupils properly certify to the board of school directors of the school district in which such pupils reside the names of all such pupils and whether they are attending an elementary school or a high school together with a statement of the tuition charge per elementary pupil and the tuition charge per high school pupil All such tuition charges shall be paid monthly to the school district or the vocational school district maintaining such elementary school or high school by the school district to which the same was certified

Section 1263 If any school district wherein a pupil resides who is entitled by law to attend an elementary school or a high school in another district neglects or refuses to pay any such tuition charge the Superintendent of Public Instruction is authorized to deduct from any moneys due any such district out of any State appropriation the amount due from such district to the district where the pupil attends and pay over said sum to the district entitled thereto

Section 3 The first paragraph of section one thousand four hundred four of said act as amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the [cost of his tuition textbooks and school supplies only which shall not exceed that of the tuition textbooks and school supplies or other pupils pursuing similar courses of studies in the same schools] tuition charge provided for by this act The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district

Section 4 Section one thousand four hundred five of said act as amended by the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 628) is hereby further amended to read as follows

Section 1405 The board of school directors of every school district in this Commonwealth shall for the purpose of designating the schools to be attended by the several pupils in said district subdivide the same in such manner that all the pupils in each school district shall be assigned to and reasonably accommodated in one of the public schools in said district Provided That the board of school directors may upon cause shown permit any pupil or pupils in any school district to attend such other school in said district as the board may deem proper or may classify and assign the pupils in the district to any such school or districts therein as it may deem best in order to properly educate the same Provided further That whenever any child or children of compulsory school age have their residence more than two miles by the nearest public highway from the school to which they have been assigned within the district and free transportation for such child or children to a school within the district is not provided and there is a school in session in some other district in the Commonwealth within two miles by the nearest public highway of the residence of such child or children the board of school directors shall reassign such child or children to this school in another district unless the consent of the board of directors of said district is refused and shall pay to said district the [cost of tuition textbooks and supplies of such child or children and this] tuition charge provided for by this act This provision shall include also in like manner assignment to high schools in the case of pupils under sixteen years of age who are qualified to be enrolled in such high schools Provided further That hereafter it shall be unlawful for any school director superintendent or teacher to make any distinction whatever on account of or by reason of the race or color of any pupil or scholar who may be in attendance upon or seeking admission to any public school maintained wholly or in part under the school laws of the Commonwealth

Section 5 Section one thousand four hundred six of said act as last amended by the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) and the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2583) is hereby further amended to read as follows

Section 1406 (a) The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better gradation and classification or other reasons close any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools or upon cause shown be permitted to attend schools in other districts

Whenever the average term attendance of pupils regularly enrolled at any one-room school in any school district of the fourth class or township which is a district of the third class is ten or less than ten the board of school directors shall close such school

(b) If the board of school directors does not deem it feasible to close such school it may present its petition to the State Council of Education showing the reasons why such school should not be closed thereupon the State Council of Education shall consider such petition and shall make such order as may seem just in the premises If any school as aforesaid has been closed because the average term attendance of pupils enrolled was ten or less than ten and has been reopened upon order of the State Council of Education and the average term attendance is twelve or more after such reopening such school shall be considered re-established

(c) In any district of the fourth class or township which is a district of the third class elementary school pupils who reside within that part of the school district last served by any elementary school closed since the first Monday of July one thousand nine hundred and seven or within a district all of whose schools have been closed or who are assigned to a training school of a State Normal School and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the elementary school to which they are assigned All such transportation routes to be used after the first day of July one thousand nine hundred and thirty-eight shall be established with the advice and assistance of the county board of school directors of the county In any case after such date when two or more school districts jointly use the same transportation facilities the cost of such transportation shall subject to the approval of the State Council of Education be apportioned among such districts by the county board of school directors

(d) All vehicles hereafter purchased or placed in use for the transportation of pupils whether owned or hired by the school district shall conform to standards prescribed by the State Council of Education Such standards when promulgated by the State Council of Education may be revised not oftener than once each year and whenever

new requirements are made they shall be published at least six months before they shall become effective and shall apply only to vehicles thereafter purchased or put in use

(e) Whenever the board of school directors in any fourth class district or township which is a district of the third class agrees to or is required to provide transportation for any pupils such board of school directors may upon petition of the parent guardian or person in parental relation to any of said pupils in lieu of providing such transportation pay for suitable board and lodging for such pupils if such board and lodging is secured in the home of a near relative of the pupil or in a proper school or home approved by the person making the petition In no such case shall the State's share exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five days in any one week

(f) If the Department of Public Instruction approved the transportation as to methods and means and the contracts provided therefor the Commonwealth will pay annually the amounts provided for by this act to the school district furnishing such transportation [an amount determined by (a) the true valuation per teacher per district as provided by section one thousand two hundred and ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended and by (b) a given per centum of the sum which has been expended during the previous school year by such a school district for transporting pupils of said school to and from said schools as follows The amount paid by the Commonwealth to a school district which has a true valuationo per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five (75) per centum more than fifty thousand dollars ($50,000) to one hundred thousand dollars ($100,000) sixty (60) per centum and more than one hundred thousand dollars ($100,000) fifty (50) per centum Provided That in case said school district has purchased or shall hereafter purchase an approved school conveyance which is used exclusively for approved school purposes said payment by the Commonwealth for such transportation may include a reasonable charge for depreciation and repairs not to exceed in any year fifteen (15) per centum of the cost of said approved school conveyance Provided That the State's share of depreciation and repairs shall not exceed one hundred dollars ($100) per vehicle per year Provided further That the State's share for transportation shall not exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is transported to and from school Provided further That districts receiving reimbursement on the basis of seventy-five (75) per centum and sixty (60) per centum shall not receive more than four thousand dollars ($4,000) in any one school year from the State for transportation Provided further That districts receiving reimbursement on the basis of fifty (50) per centum shall not receive more than three thousand dollars ($3,000) in any one year from the State for transportation]

[After the first day of July one thousand nine hundred and thirty-nine if the Department of Public Instruction approves the transportation and means and the contracts provided therefor the Commonwealth will pay annually to the school district furnishing such transportation an amount determined according to the following schedule of reimbursement To a school district which has a true valuation per teacher of assessable property of twenty-five thousand dollars ($25,000) or less ninety per centum (90%) more than twenty-five thousand dollars ($25,000) but not more than fifty thousand dollars ($50,000) eighty per centum (80%) more than fifty thousand dollars ($50,000) but not more than seventy-five thousand dollars ($75,000) seventy-five per centum (75%) more than seventy-five thousand dollars ($75,000) but not more than one hundred thousand dollars ($100,000) seventy per centum (70%) more than one hundred thousand dollars ($100,000) but not more than one hundred fifty thousand dollars ($150,000) sixty-five per centum (65%) more than one hundred fifty thousand dollars ($150,000) but not more than two hundred thousand dollars ($200,000) sixty per centum (60%) more than two hundred thousand dollars ($200,000) but not more than two hundred fifty thousand dollars ($250,000) fifty-five per centum (55%) more than two hundred fifty thousand dollars ($250,000) fifty per centum (50%) After the first day of July one thousand nine hundred and thirty-nine in any case where any such school district has purchased or shall hereafter purchase an approved school conveyance which is used exclusively for approved school purposes said payment by the Commonwealth for such transportation may include a reasonable charge for depreciation and repairs not to exceed in any year fifteen per centum (15%) of the cost of said approved school conveyance The State's share of such depreciation and repairs shall not exceed two hundred dollars ($200.00) per vehicle per year Provided That the States share for transportation shall not exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is transported to and from school Provided That no district shall receive from the Commonwealth in any one year more than eight thousand dollars ($8,000) as reimbursement for transportation]

(g) On or before the first day of July of each year each school district of the third and fourth class transporting pupils as herein provided shall present to the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him a sworn statement of the amount expended during the previous school year for transporting pupils to and from school as herein provided On the basis of such a statement the Superintendent of Public Instruction shall be requisition upon the State Treasurer pay during the month of September to such school district such reimbrusement for the previous school year as is provided for in this act The State Council of Education may for cause specified by it direct the withholding of such reimbursement in any given case permanently or until the school district has complied with the law or regulations of the State Council of Education

Section 6 Section one thousand four hundred seven of said act as amended by the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 628) is hereby further amended to read as follows

Section 1407 If any pupils are assigned to an adjoining district the district where such pupils reside shall promptly pay to the district in which they attend school the [cost of tuition textbooks and school supplies only which shall not exceed that of the tuition textbooks and school supplies of other pupils pursuing similar courses or studies in the same schools] tuition charge provided for by this act Provided That the consent of the board of school directors of the district to which the pupils of any closed school are assigned shall be first obtained

Section 7 Section one thousand seven hundred nine of said act is hereby amended to read as follows

Section 1709 If any child has completed the elementary course of study in the public schools of the district in which he resides and resides three or more miles by public road from the nearest high school in said district unless proper free transportation is furnished he may attend any more convenient high school in another district without the consent of the board of school directors of the district in which he resides and the district in which he resides shall be liable to the district whose high school he attends for the [cost of his tuition textbooks and supplies as] tuition charge provided for in this act

Amend section 2, page 14, beginning with line 8, by

striking out the entire section as follows: "Section 2 The provisions of subsections one two three four five six seven seven-A eight nine and ten four five six seven seven-A eight nine ten and eleven and paragraph (a) of subsection nineteen of section one thousand two hundred ten if said act are hereby repealed".

Amend section 2, page 14, line 12 by inserting after the word "repealed" the following: " Section 8 Subsections one two three four five six seven seven A eight nine ten eleven nineteen twenty twenty-one twenty-two twenty-three twenty-five and twenty-six of section one thousand two hundred ten and sections one thousand four hundred forty-one one thousand four hundred forty-three one thousand seven hundred eight one thousand seven hundred eleven one thousand seven hundred eleven A one thousand seven hundred sixteen and one thousand seven hundred seventeen of said act section nine of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for state aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" section four of the act approved the eighteenth day of June one thousand nine hundred nineteen (P. L. 498) entitled "An act defining consolidation of school providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" and the last paragraph of section six of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational school departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" and all amendments thereof are hereby repealed except in so far as they apply to any payments due from the Commonwealth for the school year 1944-1945 or any school year prior thereto

Section 9 The amount of the payment to be made by the Commonwealth to each school district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff shall be determined in accordance with the provisions of section one thousand two hundred ten of the act amended hereby plus the full amount paid to the district during the school year 1944-1945 under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 786) entitled "An act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases authorizing additional temporary increases and validating such increases heretofore made" In addition thereto the Commonwealth shall pay to each school district of the third and fourth class the sum of one hundred dollars ($100) for each member if the teaching and supervisory staff employed by the district during the school term 1945-1946 in order to enable such districts to put into effect the new minimum salary schedule provided for by these amendments

The amount of the payment to be made by the Commonwealth to any school district during the school year 1946-1947 on account of the instruction of pupils under the provisions of section one thousand two hundred forty-two as added to the act amended hereby shall not be less than the amount paid to the district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff of the district".

Amend section 3, page 14, line 13 by striking out the figure "3" and inserting in lieu thereof the figure "10".

Amend section 4, page 14, line 20 by striking out the entire section, as follows: Section 4 The provisions of this act shall become effective immediately upon its final enactment".

Amend section 4, page 14, line 21 by inserting after the word "enactment" the following: Section 11 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-five".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, we are now asked to concur in an amendment to House Bill 568, the amendments inserted by the Senate. But I should imagine that the manner in which the amendments were inserted was not merely the historical method of adding language or deleting language, but by taking a very sharp knife that is sharpened by the Chief Executive of the Commonwealth, backed by his demand that everyone must suffer cutting the bill into its parts and extracting its very life blood.

We in this House rejected the Young committee's recommendation in a bill proposed by the administration. We then backed a so-called insurgent bill, House Bill 568 produced by Mr. Lee and Mr. Hare, eventually joined in by the gentleman from Blair, Mr. Sollenberger, the Chairman of the Committee on Education, and evidently with an independence of judgment that was refreshing for the Commonwealth of Pennsylvania we voted to support House Bill 568, which was a fair and equitable teachers' bill for Pennsylvania.

It was not until the bill left our hands that the Chief Executive, not only by innuendo but otherwise insisted upon additional taxes that were not needed and finally reversed the thinking of many Members on this bill. The thinking finally got to the bill in the hands of the surgeons on the other side and resulted in the emasculation of its real liberal and fair amendments, particularly as they affect first class school districts.

As a Member coming from a district which has a first class school district, I cannot truthfully say that I am pleased, I was only too happy to join in the original revolt, because you will remember that we proved without any doubt that the Governor's budget was not only elastic under war time rubber standards but was elastic under pre-war rubber standards, because it stretched quite a bit. We found at the time we said the money was available, that large appropriations, tremendous appropriations, not originally contemplated by the budget, were finally put into the budget. We talked about millions for all sorts of things, we talked about thousands in great numbers for all sorts of buildings, lands, bridges, comfort stations, buying historical sites, and only the accounting department of the Budget Office will ever get through counting up the countless thousands in the Governor's restricted budget.

As I said before, the Chief Executive, despite the protestations of liberality, decided that he did not want to give the school teachers what this House almost unanimously felt they should have. It was rather an unusual procedure, because we rejected proposals of a committee that worked two years to attempt to determine a program for the payment of teachers' salaries in Pennsylvania. But when it finally got to our decision we found that

forces much more powerful than we prevailed, and we found that we had not the money despite the fact that even the newspapers, who are always difficult to convince, decided that the budget was elastic.

Now, Mr. Speaker, I would not ask a Member of the third or fourth class school district to vote against these amendments because they were treated very well, and deservedly so, because they have too long suffered under our archaic antiquated and bad system, but when we held out this high promise to give the school teachers of first class school districts an honest to God increase when we ended by giving them what was practically only the cost of living increase which was recommended at the last session in proportion they are treated shabbily to say the least and to use the expression charitably.

I find that I cannot subscribe to a theory which I presume will be said makes the bill a good and liberal bill. Frankly, I do not know whether I should be thankful for small favors and vote for the amendment or whether I should vote "no" in protest, and make the protest heard, that the Chief Executive and the Senate have sabotaged our program. We worked longer, we worked harder, we worked more diligently in coming to our conclusion, and we are asked now within a few hours to accede to further dictation.

I think it is bad, and before I finish this statement, Mr. Speaker, I doubt if I will know how I want to vote because it is going to have to sink in pretty hard to convince me that the school teachers of my school district got anywhere near the breaks they deserve. I say to you, Mr. Speaker, that Pennsylvania has the money today. The money that we have voted and probably will vote will go for many projects and will remain unexpended at the end of the next biennium. There is going to be lapse after lapse in amounts so great that when we come back to another session we are going to be immensely wealthy, more so than we are at this session. I am not going to say that the money to be used for post war planning is a waste of money; I don't know that we can spend it, but it is a good thing to appropriate it and put it out of our reach so that we can say we are poor and poverty stricken when the people of Pennsylvania should be dealt with fairly, and the school teachers come with cup in hand asking and begging for a fair deal.

I think we indicated a program, when the matter was discussed the other day, because in my mind there was no debate on the bill, and all Pennsylvanians should manifest an added interest in the problems affecting the school districts of Pennsylvania. I venture to predict that when we come back two years hence we will find that the Governor was wrong again, the Governor was so wrong that we will be ashamed at that time that we had not the intestinal fortitude to stand up for what we originally voted for. I say to you, Mr. Speaker, the financial finagling—I won't say financial finagling on the part of the Governor, but it should have no weight in this House, and I say to you that the Governor, whatever his future mission might be will have to answer to the people who have felt the keen edge of is budgetary knife.

Mr. HARE. Mr. Speaker, the old pendulum that ticks the hours slowly but inexorably away, relegates this 1945 Assembly Session to the spirit hall of many other sessions that have gone before in Pennsylvania. This subject, presently up for discussion in the House, Public Education, is one that strikes at the very heart of our democracy and one that I have scrupulously and religiously kept away from partisan politics.

To hear, Mr. Cohen, the gentleman from Philadelphia tonight proceed to make the children of Pennsylvania a political football for the Democratic party seems to me a travesty upon the closing hours of this Sabbath day. Sunday is a particularly good day to pass this bill, for this day of the week has been set aside by the Man recognized as the greatest teacher we ever had on earth, and the Man whose principles we all adhere to, consciously or unconsciously, He who said "Suffer little children to come unto me, for such is the Kingdom of Heaven." The gentleman from Philadelphia, Mr. Cohen, launched a vicious attack upon the Governor of the Commonwealth charging him with sabotaging a public school program, when he, the Governor, subscribed to the provisions of House Bill 568.

Ladies and gentlemen of the House, when the Governor signs this bill into law he will have carried out the mandates of this Legislature. Mandates that will rank Pennsylvania number one in the forty-eight states of the United States in progressive teachers salaries. He will, in signing this bill into law, have allocated more money under the terms of this proposal than has even been allocated in any single Pennsylvania administration since the advent of public education one hundred eleven years ago.

Four great administrations stand out in public education in this State, that of George Wolfe in 1834 when this State gave birth to public education, guided by the leadership of a strong man in the House by the name of Thaddeus Stevens. This State was particularly fortunate in the person of the gentleman who sits in bronze on a horse statue, by the State Museum, General Hartranft. This State was particularly fortunate in the administration of Governor Sproul. This State is particularly fortunate to add another great Pennsylvanian's name, Governor Edward Martin, and his administration to that of Governors Wolfe, Hartranft, and Sproul. We can score up the history of Pennsylvania by the land marks set up in its own public school system.

From the earliest days in this State Pennsylvania was recognized as a haven for the persecuted people of all races, creeds, languages and beliefs. William Penn's charter, when he founded this Commonwealth was based on sincerity and practicality, we are presently working in this State under the Constitution of 1873. That Constitution carries with it a mandate that I tried to write into my heart, the same as I know many of you have tried to write it into yours, pledging our legislators year after year to provide a thorough and efficient system of public education for every boy and every girl of this great Commonwealth. All of us have been faced with problems. Schools have been studied at length. Since 1921 eight different studies have been made of the school system. The Minority Floor Leader of this House, Mr. Andrews, helped to compile and led the compilation of a cost study in 1935. All of us recognize the inequities of the subsidation system; all of us know the disparity and the many conflicting personal interests that crept into the

system. All of us recognize the frailties of the existing system; tax collections were one problem; teachers' salaries were another, but the welfare of the child is the whole core, the whole meaning of education. And since our schools are built for children, certainly efficient teaching is a good part of it, certainly good buildings are a good part of it, certainly proper engineering service is a good part of it, but the whole basis and reasoning back of public education is still the child.

Horace Mann, who was the father of public education and who made a great record in Massachusetts made this statement "The common school is the greatest discovery of man." The common school is the greatest discovery of man, and we have tried to carry out that truth here in Pennsylvania.

You have seen our school system grow since 1834 when we had forty-three thousand children until today when the schools have one million five hundred fifty thousand children; when you saw a pre-war enrollment of one million eight hundred fifty thousand children, and its problems grew as their numbers increased. I am not going into all the details of this bill at this time. To do so might keep us here debating this bill for several hours longer. I do want to give credit and recognition to the earnest and sincere efforts of Thomas Lee of Philadelphia, co-sponsor and to another co-sponsor Raymond Sollenberger. I want to give credit to the Governor of the Commonwealth, Edward Martin, to Senators Fred Homsher and Paul Wagner, to Dr. Paul F. Wueller and Chairman George Young of the School Commission, to the Pennsylvania State Education Association, and to Dr. Francis B. Haas, State Superintendent of Public Instruction and his staff who worked unceasingly in trying to bring a better system of public education in Pennsylvania. Every man and woman on the school commission faced the problem, Democrat and Republican alike, with a fearlessness which has finally culminated in this bill.

This bill is not a panacea for Pennsylvania, it is not a cure-all, but I would not want you to leave here thinking that haphazardly we brought it into being.

May I read for the purpose of the record a statement handed to me tonight by the President of the Pennsylvania State Education Association, Dr. Herman Grose representing as he does fifty-four thousand teachers in Pennsylvania. Mark you these words, ladies and gentlemen, from those whom the gentleman from Philadelphia says are being cheated and sabotaged, given picayune pickings from the table. Mark these words well ladies and gentlemen:

> The Hare-Lee-Sollenberger Bill, House Bill 568, marks another milestone in the forward march of Public Education in Pennsylvania. Its benefits will reach the home of "the poorest child of the poorest inhabitant in the meanest hut of your mountains." It will attract and retain in our classrooms our talented teachers. Its provisions for equalization of educational opportunities provide the foundations of a sound basic legal structure for Pennsylvania's future citizenship needs. This bill is one of the most significant that has ever been adopted by the Commonwealth of Pennsylvania in the past one hundred years. It will make educational history.

That statement is signed by the President of the State Education Association. I am not going to read all of these tributes from the profession into the record. I am going to ask the courtesy and the kindness of the House in having them extended in the Journal.

A paragraph from the statement of the Pennsylvania Federation of Labor and the Pennsylvania Federation of Teachers on the final bill:

> The Pennsylvania Federation of Labor and its affiliate, the Pennsylvania Federation of Teachers, recognizes the state aid provisions of the Hare-Lee-Sollenberger Bill as a constructive step in the right direction, long overdue and slightly better than the minimum program recommended and so described by the Education Commission. This state hereby follows the national trend of assuming a larger share of its constitutional responsibility for the maintenance of efficient public schools for all the children of the state.

That statement is signed by James McDevitt, President of the Pennsylvania Federation of Labor, Margaret Root, President of the Pennsylvania Federation of Teachers and Mildred I. Snodgrass, Legislative Representative of the Pennsylvania Federation of Teachers.

The gentleman from Philadelphia has led you to believe that there was a partisan issue injected into this and set forth that his city is being cheated. This is a statement of the Philadelphia Teachers Association:

> The Philadelphia Teachers Association joins the Pennsylvania State Education Association in commending the members of the General Assembly for their ceaseless efforts in behalf of constructive school legislation. We particularly want to express appreciation to the able sponsors of House Bill 568, the Honorable D. Raymond Sollenberger, the Honorable Fred P. Hare, Jr. and our own distinguished Philadelphian the Honorable Thomas H. Lee.
>
> Cathleen M. Champlin

That was signed by the president of that association, representing more than five thousand teachers. How does Mr. Cohen account for their attitude?

This statement from the Professional School Employees Association by its Chairman of Public Relations, James St. Clair, Duquesne:

> In behalf of the Professional School Employees Association of the Eleventh District, we should like to thank the Honorables Fred Hare, Thomas Lee, and D. Raymond Sollenberger for the effort they have devoted to the advancement of public education.
>
> House Bill 568 represents one of the most forward steps in the history of education in that it promotes the principle of equalization and is a guide to the future. With such leadership and such vision, Pennsylvania will again become, as it was in the past, the "Keystone" of American culture.

Then we have the statement of Serena Foley Davis, Acting President of the Special Class Principals' Club of Philadelphia:

> The mandating of salaries of special class teachers will give them protection against cuts in depression times without legislative action. It will also bring great dignity to the area of the education of the handicapped child and will tend to extend the opportunities in the state for real equality of education of the children as it will encourage school districts to care for the education of its handicapped children locally.
>
> Serena Foley Davis

Then we have the statement of the Elementary Teachers' Association of Philadelphia:

> The Hare-Lee-Sollenberger Bill, House Bill 568, is the beginning of a new era in educational, cooperative planning. This legislation is a sound foundation for future educational legislation upon which to build. Pennsylvania will be proud of this forward step in the time to come.
>
> Lois A. Buenzli

And you might go on and on in this manner. House Bill 568, my friends, is not the work of the little handful of men in this session. You and I have not placed too much of ourselves in this picture. This bill represents every teacher, every citizen, every child from the beginning days when this Commonwealth first began to climb the ladder and move forward toward a better world. This bill, ladies and gentlemen of the Houe, I just want to point out one phase of it to show you the trend, for many years the third and fourth class school districts of this State, and they were particularly singled out today by the gentleman from Philadelphia, these districts asked their teachers to live and eke out a meager existence on wages of eight hundred dollars a year. House Bill 568 will allow a teacher of the third and fourth class district to retire at the age of sixty-two at one thousand dollars yearly. That one thousand dollars is more than the State paid those teachers in 1937 for a year's teaching. They can retire at sixty-two at a greater sum for the year than you paid them in 1937.

Ladies and gentlemen of the House, I don't want this bill driven into a stage of pampering public schools. I want you to feel that we went into this thing with what we thought was a fair program when we sat down in conference groups.

And may I say the Governor at no time made a definite statement that this had to be, and nothing more, to me, but we sat in conference as interested conferee's around the table. We had the Governor, the Chairman of the Senate Finance Committee there, the Chairman of the House Finance Committee was represented, the Department of Public Instruction, the Budget office, the House and Senate, Education leaders, School Commission, and we tried to arrive at a workable program for the best interests of the public school system and the tax payers of our State.

In the cost study of 1935 Representative Andrews made this statement, and it is just as true today as it was then:

> The difficulty now as in the past lies in mobilizing public sentiment in support of constructive definite action, in conciliating or reconciling conflicting special interests and integrating a progressive school program on the general fiscal and taxation policies of the various administrations as they come and go.

Local communities have reached the limits of their ability to pay further increases in school costs, real estate is carrying a tremendous tax burden, a broader tax base must be found, the State represents the only source to which we may logically turn without further sacrifice of our cherished freedom of action by local control.

That test had to be faced, the problem of ultimate cost had to be faced. The Committee of Conference felt in their wisdom that they could give to the children of Pennsylvania the program that you are asked presently to concur in tonight. If the school enrollment goes back to pre-war days it will cost the State an additional three million dollars in subsidy grants to local communities.

The reimbursement factor of twenty-two for high schools and thirty for the elementary schools will involve an outlay in round figures of better than twenty-five million dollars this next biennium, in addition to the twenty-seven million dollars enacted two years ago, or a total of about fifty-two million dollars additional monies over the 1941-43 biennium.

In the second biennium, 1947 to 1949 it will cost thirty-six million dollars in addition to the twenty-seven million dollars of the cost of living program, or an additional sixty-three million.

Now ladies and gentlemen of the House, turn over in your mind for just one moment this thought, in 1937 this State spent sixty-one million dollars for public education; in 1939 that sixty-one million became sixty-four million dollars. In 1941 that sixty-four million became seventy-one million dollars; in 1943 that seventy-one million became one hundred three million dollars, and in this coming biennium it will be in the neighborhood of one hundred thirty million dollars, not counting the health units and their assumed cost by the State. Now, one hundred thirty million dollars is more than twice as much as was spent in the biennium of 1937, and still we do not say we have solved the problem, nor do we appear as Moses trying to lead anyone out of the wilderness. The school problem will always be with us.

The school problem will not be settled in this biennium, but certainly this bill will show you that the thinking people working with this bill understand that they secured a program that is a foundation upon which our temple of public education and the advancing needs of civilization may be built. Yes, it is a long road down which we have traveled. This House has been more than fair to me than any other like association of men that I have ever been affiliated with in my life. This bill represents more in my emotions than I have the power to express in words. This I do know, that if this nation is to be saved it is going to be saved in the classrooms of America, not in the courts, but in the classrooms of America. These teachers will make of these children of yours and mine what they desire. Our problem is to have the right kind of instructor in the classroom to maintain the traditions of our beloved America. This land of ours together with the people and the principles that they have exhibited, have formed an asset of good will and strength behind which you and I are safe from the ravages of those who would destroy us and our way of life. The schools, even as our traditions and our flesh spring from a thousand sources.

I ask you tonight to visualize this picture of public education on a broad basis of a State equalization subsidy. This is not a salary bill, this is an equalization or subsidy bill, taking the money from the wealthier units and allowing the poor struggling units to follow out your constitutional mandate to live. We owe a duty to the children in the poor districts just as much as we do to the children in the richest districts of the state. The assessed values run anywhere from thirteen hundred dollars in property for each teacher to two million dollars of property for each teacher. We were simply following on the course that

has been seen as best in our Commonwealth and in our nation and proven by the years.

Pennsylvania by the same token is trying to level out this, inequity—and I wouldn't say that the first class districts have been cheated. Under this bill Philadelphia gets more than one and a half million dollars in additional state funds and Pittsburgh gets about five hundred seventy-five thousand dollars additional funds without computing the health provision as amended in House Bill 171. To me this represents a task well begun, a task that you and I must lend our efforts to in years ahead.

If perchance revenues do fall, if perchance our financial program becomes shaky, then upon your shoulders and mine will fall the responsibility of finding the necessary monies.

Ladies and gentlemen of the House, I am sincere in this, as I know are you. It represents the beginning of a new road for generations as yet unborn.

I like to believe that as citizens of the last great hope on earth we may all subscribe to the words of Stephen Benet, the poet, when he said:

For there's something buried deep in all of us
Deeper than all the noise of the parade.
Something the haters never knew and never understood,
The habit of the free.
For out of the hearts, out of the souls, out of the minds,
Of thousand upon thousands common men,
We made this land, this dream, this peaceless vision,
Groping for the stars.

The case of the children of Pennsylvania, now and forever, versus the General Assembly of Pennsylvania, rests.

Mr. ANDREWS. Mr. Speaker, I would not attempt to vie with the gentleman from Somerset in the handling of winged words. He has made a memorable address. Nor would I claim to equal him in his devotion to the ideals of the teaching profession, the ideals which we all cherish in equal measure with him, but which we lack the power to express in his telling fashion.

The gentleman from Somerset labored in the committee room, he was the fabricator of a plan, and there was never a more sorry task that fell to the lot of some of us. That task, Mr. Speaker, in the language of the gentleman from Somerset, was to produce the money to carry out the program.

Need I remind you that in the early weeks of January there was issued from the office of the Executive a statement to the effect that those who proposed an increase in school subsidies had better come along with the tax bills because there was not any more money for schools unless there were new taxes. That was the challenge as it was thrown in the teeth of the Committee with which the gentleman from Somerset labored. He was not in a position to challenge that statement. We did, day in and day out, challenge that statement because we realized that while the gentlman from Somerset and his associates could produce the plans, we had to convince the people of Pennsylvania and the Members of this General Assembly that there was the money.

Those who are having any doubt about the ability of the Commonwealth to finance this plan need have no fear, because Mr. Speaker, at this very time there is in the banks to the credit of this Commonwealth a surplus over and above the estimate of the Budget office, a surplus sufficient to finance the increase over and above the cost of living bonus that this bill carries, sufficient, I say, to finance the bill for the biennium. The money which we were told could not be had is now in the banks, and I venture to say that without the constructive assistance, without that labor in the sordid field of delving for money and uncovering it in resources, the gentleman from Somerset would not be able tonight to rise and make the telling speech of a victory won in the cause of education.

So I feel that while he and his associates made a plan, one that had been in the making, however, these many years, there are those among us who fought the fight to uncover the hidden resources necessary in order to finance the plan that the gentleman now expounds.

Mr. COHEN. Mr. Speaker, I would not like to leave this session disillusioned and in the hope that perhaps my disillusionment might be wiped away, may I interrogate the gentleman from Somerset, Mr. Hare?

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. HARE. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I should like the gentleman, if he would oblige me, in order to make certain that my disillusionment might be unfounded, would he read for me the entire letter signed by Miss Snodgrass and Margaret Root?

Mr. HARE. Mr. Speaker, I believe it is a part of the record.

Mr. COHEN. I should like to hear it all, because I may be disillusioned, and perhaps not. I might say that I gained so much strength and faith in my position from the two ladies who signed the letter.

Mr. HARE. Mr. Speaker, continuing with the second paragraph:

> Because of our interest in adult and vocational education, in the retraining of workers of all stages, we regret that the State is not embarking on a comprehensive program along these lines to meet the needs of its citizens and industries in the post war period. We commend the Legislature for following the example of Ohio in rejecting the proposals to base increments on "efficiency ratings." We pledge our continued activity for raising the much amended salary schedules to the point befitting the significance of a teacher's work, his training, and the position he should have in a community. We further pledge our full support for greater expansion of the State's educational program.

Mr. COHEN. I thank the gentleman.

Mr. BROWN. Mr. Speaker, I did not intend to indulge in this debate. I certainly want to compliment the gentleman from Somerset, Mr. Hare. He has certainly delivered to this House a literary gem, but I wish to change the tempo just a moment and look at the figures.

I should like to ask the gentleman from Somerset if he will answer two or three questions on the figures.

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. HARE. I shall, Mr. Speaker.

Mr. BROWN. Will the gentleman tell us again the total amount of the State subsidy for this biennium?

Mr. HARE. Estimated State appropriation under this

bill this biennium, Mr. Brown, is one million eight hundred fifty-nine thousand two hundred thirty-five dollars.

Mr. BROWN. And for the next biennium, if you please?

Mr. HARE. I do not have that before me now. I have the State appropriation for 1944.

Mr. BROWN. Does the gentleman have it for the biennium beginning in 1947?

Mr. HARE. No, Mr. Speaker.

Mr. BROWN. Will the gentleman, if he can, if he has the figures broken down, give me an estimate of what the State subsidy will represent per pupil for the first class school districts?

Mr. HARE. On the basis of your present rate as reported by the Department of Education, an average of thirty-two to the class, it would represent a subsidy unit of six hundred eighty-four dollars, but based on the——

Mr. BROWN. No, the ratio per pupil in the first class school districts.

Mr. HARE. I have not broken that down. This is on the basis of past subsidy, of six hundred eighty-four dollars per unit.

Mr. BROWN. I have broken it down. Will the gentleman say I am correct that it is about forty dollars for the biennium per pupil? Would that be about right in the first class school districts?

Mr. HARE. If the gentleman says it is broken down, I would not question his arithmetic.

Mr. BROWN. My arithmetic may be poor, Mr. Speaker. I was going to ask the gentleman the next question if he could give me the ratio per pupil in the other school districts from this base upwards?

Mr. HARE. This represents about eighty-three dollars, I think, per child.

Mr. BROWN. Then if my figures are correct, the first class school districts will get somewhere between forty and forty-five dollars from the state subsidy?

Mr. HARE. If your figures are correct.

Mr. BROWN. Well, can the gentleman tell me what his figures might be if he has them, roughly.

Mr. HARE. No, I accept the gentleman's figures. I do not challenge them.

Mr. BROWN. Then we agree that the first class school districts per pupil will secure about one-half of what the other pupils in the state will receive.

Mr. HARE. I would say that is approximately correct and a good basis of comparison.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, I am going to vote against this bill. I am voting against it because I think this equalization plan is discriminatory and is entirely based on an erroneous foundation. The City of Pittsburgh is one of the largest contributors to this state subsidy, and the City of Pittsburgh is not interested in seeing any child in the State of Pennsylvania get less than that child is entitled to, but I cannot understand a program that continues to go on and on and on—and this is intended to go on and on, returning to the taxpayers that pay the greatest amount of taxes the least amount of subsidy. What ever may be said we start off on the wrong foundation, and I hope sooner or later will come back to it. For that reason I am voting "no" on this bill.

(Remarks of Mr. Grant expunged from record upon motion of Mr. Cohen.)

Mr. LEVY. Coming back to the seriousness of school legislation, Mr. Speaker, in the address of the gentleman from Somerset there was one question that annoyed me and I would like to have the opportunity to interrogate the gentleman on one question.

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. HARE. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, during the very, very fine address of the gentleman from Somerset he referred at least four times to the cost of education in the state as of the 1937 to 1939 biennium. I would like to ask, Mr. Speaker, does the gentleman from Somerset have any knowledge as to what the public assistance costs were at the time of the Earle Administration?

Mr. HARE. Mr. Speaker, I am trying to work under di. :ulty.

Mr. LEVY. I will explain that to the gentleman. The gentleman from Somerset, Mr. Hare, mentioned in his speech on three occasions that the appropriations made during the 1937-1939 biennium of Governor Earle was one-half the amount that is given in this bill, House Bill 568, and if I recall the figures correctly, in 1937 it was sixty-seven million dollars, and under House Bill 568 in this session the cost will run about one hundred thirty million dollars. Now, it is obvious that the reference to 1937 was made in answer to the objections made by the gentleman from Philadelphia, Mr. Cohen, and I would then ask, and it is certainly relevant to the point, whether Mr. Hare has any idea what these relief costs were in 1937 and what they are today.

Mr. HARE. Is that a question, Mr. Speaker?

Mr. LEVY. That is a question, Mr. Speaker.

Mr. HARE. Mr. Speaker, I am not very well acquainted with relief matters because I am not on that Committee. I am trying to be serious about this, Mr. Speaker, trying to get the relativity that the gentleman is trying to bring out.

Mr. LEVY. Mr. Speaker, I will repeat again. The gentleman from Somerset referred to the 1937-1939 appropriations for education, and he ma le quite a speech about the difference in the appropriations made in that biennium, which everyone knows was under the administration of Governor Earle, and Mr. Hare said very distinctly "Gentlemen, you can readily see this appropriation is almost twice the amount appropriated in 1937."

Now, of course it is quite obvious that what I want to bring out to the Members of the House is that the appropriation to the Department of Public Assistance for relief needs under the Public Assistance Act skyrocketed to such a height that it was, with all the emergency taxes, an impossibility for the Earle administration to appropriate any amount over sixty-seven million dollars, and I want the gentleman from Somerset, Mr. Hare, to realize that the appropriations today made to the Department of Public Assistance are puny compared to those made in 1937. He must remember too that we have gone through in this State four long war years where revenue has skyrocketed into the State Treasury.

I might also say that I have the utmost confidence in the sincerity of the gentleman from Somerset, because I

served on the Education Committee with him the past few sessions, but let him remember that this is still not the appropriation intended in the bill as it originally left the House a week ago or two weeks ago; that we still contend that there is plenty of money in the Treasury of the Commonwealth that we have seen, as Mr. Andrews pointed out when the proposition was pushed in the Governor's office, he found a couple of million dollars more very readily, and I say to the gentleman from Somerset if they could have pushed it a little further we could probably have had the rest of the money that was appropriated in the original bill as it left the House.

(Remarks of Mr. Grant expunged from record upon motion of Mr. Cohen.)

Mr. O'BRIEN. I want to say, Mr. Speaker, that I must lodge my protest in connection with this House Bill 568 as it is amended. There is no question in anybody's mind that the original bill 568 as passed by the House is substantially superior to the bill in its present form.

I have in my experience with the Education Committee, session after session, seen Philadelphia and Pittsburgh, which are the first class school districts, discriminated against,—and they are year after year. From my information the total amount of this subsidy amounts to somewhere in the neighborhood of one hundred thirty million dollars. We in Philadelphia contribute at least twenty per cent of that money, and in return we get less than four per cent in connection with this subsidy.

It seemed awful strange to me that we would have one Member from Philadelphia who co-sponsored this bill, and on the strength of the statement of the gentleman from Somerset, Mr. Hare, he said as far as reductions were concerned, Mr. Lee had joined in and permitted such a situation.

I have been an advocate, which most of you know, as far as my Committee activities are concerned, of a minimum salary to all teachers regardless of what class they were in, and I proposed an amendment providing a minimum of eighteen hundred dollars and thirty-two hundred dollars maximum, and those amendments were defeated. Now, we in Philadelphia have attempted to bring it up from seven hundred dollars to eight hundred dollars, and now we find that in the Senate they have cut the subsidy to about six hundred dollars. I feel that I would be remiss if I did not call attention to the fact that Philadelphia is getting a mere pittance in return for contributing the greatest portion of the money.

Mr. HARE. Mr. Speaker, in order to keep the record clear, I am willing that this bill be the evidence of our faith in it. I am certain time will prove that this has been a forward step. Philadelphia gets under this bill one million five hundred eighty-four thousand dollars increased grant,—a mere pittance.

As we vote on this bill may I repeat to you one thought. When the Father of Education stood in the Hall of the Assembly and the Assembly was then held in Lancaster, he closed his speech, as I told you before, with words that should be engraven in the hearts of all men:

> Gentlemen of the House, when you come to vote on this question, take lofty ground, look beyond the narrow sphere of time in which you presently live, and so cast your vote that the blessings of education will be guaranteed to the poorest child of the poorest inhabitant of your mountain top so that he too may be prepared to act well his part in a world of free men, to the end that we may lay the broad foundation of knowledge that will go on increasing through eternity.

On the question recurring,

Will the House Concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Andrews,	Gaffney,	Lovett,	Reilly,
Baker,	Gardner,	Lyons,	Reynolds,
Barrett,	Getchey,	Madden,	Riley,
Barton,	Gibson,	Madigan,	Robertson,
Baumunk,	Goodling,	Mahany,	Root,
Bentzel,	Gore,	McAtee,	Rose,
Bonawitz,	Grant,	McClester,	Royer,
Boorse,	Greenwood,	McCormack,	Rudisill,
Brancato,	Greer,	McDowell,	Salus,
Brothers,	Guthrie,	McKinney,	Serrill,
Burns,	Gyger,	McLanahan,	Shaffer,
Cadwalader,	Haberlen,	McMillen,	Shoemaker,
Cherrenak,	Hall,	McNally,	Skale,
Chudoff,	Hamilton,	Mihm,	Sloan,
Coleman,	Hare,	Mikula,	Smith,
Cook,	Haudenshield,	Miller,	Snider,
Costa,	Heatherington,	Milliken,	Snyder,
Coulson,	Helm,	Mills,	Sollenberger,
Dague,	Hennihan,	Mooney,	Sorg,
Dalrymple,	Herman,	Moore, C. E.,	Stockham,
Dennison,	Hersch,	Moore, W. J.,	Stuart,
Depuy,	Hewitt,	Moran,	Swope,
Dillon,	Hoffman,	Moser,	Tahl,
Dix,	Hoopes,	Munley,	Tittle,
Dougherty,	Howells,	Murray, M. L.,	Trachtman,
Duffy,	Hunter,	Murray, P. G.,	Trent,
Dye,	Huntley,	Nagel,	Trout,
Elder,	James,	Nelson,	Turbett,
Elish,	Jones,	O'Connor,	Turner,
Erb,	Kennedy,	O'Dare,	Verona,
Ewing,	Kirley,	O'Donnell,	Wachhaus,
Finnerty,	Kline,	O'Neill,	Wagner,
Flack,	Kolankiewicz,	Owens,	Waterhouse,
Fleming,	Komorofski,	Pentrack,	Watkins,
Foor,	Krise,	Petrosky,	Weiss,
Fox,	Kurtz,	Pettigrew,	Welsh,
Freed,	Lane,	Pickens,	Wescott,
Frost,	Laughner,	Polaski,	White,
Fullerton,	Lee,	Polen,	Wood, L. H.,
Gallagher,	Leisey,	Powers,	Wood, N.,
McNair,	Levy,	Propert,	Worley,
Modell,	Lichtenwalter,	Reagan,	Wright,
Tate,	Loftus,	Reese, D. P.,	Yeakel,
Brown,	Longo,	Reese, R. E.,	Yester,
Cohen,	Lopez,	Reidenbach,	Fiss, Speaker.

NAYS—6

Brown,	Gallagher,	Modell,	Tate.
Cohen,	McNair,		

NOT VOTING—22

Bentley,	Cullen,	Matthews,	Scanlon,
Boies,	Green,	Myhan,	Schuster,
Boory,	Hering,	O'Brien,	Stank,
Cooper,	Hoggard,	Readinger,	Stonier,
Corrigan,	Leonard,	Regan,	Varallo,
Coyle,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASON FOR VOTE

Mr. MODELL filed the following reason for his vote on House Bill No. 568:

To voice my protest I shall vote against the motion to concur in these amendments by the Senate to House Bill 568.

I do so to express my disappointment in the action of the Senate.

The bill in its original form gave little enough to Philadelphia and in my opinion these amendments leave the bill inadequate.

REMARKS EXPUNGED FROM RECORD

Mr. COHEN. Mr. Speaker, we have just heard probably one of the greatest debates that it has been my privilege, at least, to have heard in this House in my five terms here.

I think that I personally would not like to have the record be as it now stands, and I feel that most of the Members probably agree with me.

For that reason, Mr. Speaker, I move that the remarks of the gentleman from Berks, Mr. Grant, relative to House Bill 568 be expunged from the record.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. SOLLENBERGER asked and obtained unanimous consent to address the House.

Mr. Speaker, as Chairman of the Committee on Education I certainly do want to thank the members of my Committee who worked so diligently and cooperated so well, and the Members of the House for their vote.

You will find that this bill has become complicated because of amendments, so we briefed the bill for the Members, which brief will be sent to their homes so that they can explain the bill when they are asked by the people of their district.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 762, as follows:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen six hundred nineteen and six hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by making provision for the erection construction maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seventeen of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P L 400) is hereby further amended to read as follows

Section 617 Contagious Disease Hospital or Building Wing or Unit Whenever in the opinion of the board of commissioners of any county or the boards of commissioners of two or more counties a hospital for the care and treatment of contagious diseases appears to be necessary or advisable the board of commissioners of the county or the boards of commissioners of two or more counties jointly may either [locate] erect construct and equip such a hospital on the grounds of the county [poor-farm] institution district of any of the counties joining or may purchase a suitable [location] site for such purpose in some other locality In lieu of erecting and constructing a separate contagious disease hospital the board of commissioners of a county or the boards of commissioners of two or more counties jointly may enter into an agreement with a general non-sectarian nonprofit hospital or hopitals within the county or within any of such counties or any adjoining county and may appropriate county moneys to such hospital or hohpitals for the erection construction and equipment of a building or wing or unit for the care isolation and treatment of contagious disease cases In any such contagious disease hospital or building wing or unit provision shall be made for the care and treatment of indigent persons and of persons who are able to pay for their care and treatment in whole or in part

The county commissioners may in like manner join in establishing maintaining equipping and operating a contagious disease hospital with any municipality within the county

Section 2 Sections six hundred eighteen six hundred nineteen and six hundred twenty of said act are hereby amended to read as follows

Section 618 Plans and Specifications Approval Construction Plans and specifications [may be prepared] for [such] any county or joint county hospital or building wing or unit at a general hospital shall be prepared by the board or boards of commissioners or at their instance or by the general hospital with which an agreement has been made as the case may be which plans and specifications must be submitted to the Secretary of Health of the Commonwealth The cost of the preparation of such plans shall be paid by the county or counties so joining Upon the approval of said plans and specifications by the Secretary of Health of the Commonwealth [the said] any county or joint county contagious disease hospital may be constructed and equipped in the same manner that any other county buildings are constructed and equipped and in the case of a building wing or unit at a general hospital the same shall be constructed and equipped by the authorities in charge of the general hospital as may be provided in the agreement with the county or counties joining But in either event [The] the expense and cost of such erection construction and equipment and the cost of the site if any shall be paid by the board or boards of commissioners out of county funds

Section 619 Expenses of [Construction Equipment and] Maintenance Care and Treatment All expense incident to the [construction equipment and] maintenance of any such county or joint county contagious disease hospitals and of buildings wings and units at general hospitals shall be paid by the county or counties so joining as may be provided in any agreement out of county funds The county or counties so joining shall be liable for the cost of operating any such county or joint county contagious disease hospital and each county shall separately be liable to pay the cost of the care and treatment of its indigent patients and those unable to pay the entire cost of care and treatment in such contagious disease hospitals and in buildings wings and units at general hospitals and for such purposes any county or the counties so joining shall have power to appropriate county funds

Section 620 [Conduct and Maintenance] Administration of County and Joint County Hospitals After any such

county hospital is erected and equipped and ready for occupancy it shall be [conducted and maintained] operated by and under the authority of the [directors of the poor] county commissioners of the county in the same manner that [the county-home and other county poor-buildings] other county buildings and institutions are [conducted and maintained] operated and in the case of joint county hospitals the operation shall be in the manner provided in the agreement between the counties All county or joint county contagious disease hospitals heretofore erected and constructed shall hereafter be maintained and operated in the manner provided by this act

Section 3 Section six hundred twenty-one of said act as amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 400) is hereby further amended to read as follows

Section 621 County Agreements for Joint Contagious Disease Hospitals Buildings Wings and Units Whenever the county commissioners of two or more counties decide that a hospital or a building wing or unit at a general hospital for the care and treatment of contagious diseases is necessary they [may join in establishing such hospital either on the grounds of the county poor-farm of either county or on such other suitable location agreed on as may be purchased for the purpose subject however in all other respects to the conditions and limitations prescribed in this act The county commissioners may in like manner join in establishing a contagious disease hospital with any municipality within the county or with any established general hospital in the county or with the municipality and hospital]

[All] shall enter into an agreement for such purposes and therein provide how and in what proportions each county shall bear the expenses incident to the construction operation and maintenance of [any] the joint hospital building wing or unit for contagious diseases [shall be borne jointly by the parties in such proportions as may be agreed upon]

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Andrews,	Freed,	Lopez,	Reilly,
Barton,	Frost,	Lovett,	Riley,
Baumunk,	Fullerton,	Lyons,	Robertson,
Bentzel,	Gaffney,	Madden,	Root,
Bonawitz,	Gallagher,	Madigan,	Rose,
Boney,	Gardner,	Mahany,	Royer,
Boorse,	Getchey,	Matthews,	Rudisill,
Boory,	Gibson,	McAtee,	Salus,
Bower,	Goodling,	McClester,	Scanlon,
Brancato,	Gore,	McCormack,	Serrill,
Breisch,	Grant,	McDowell,	Shoemaker,
Brice,	Green,	McKinney,	Sloan,
Brothers,	Greenwood,	McLanahan,	Smith,
Brown,	Greer,	McMillen,	Snider,
Brunner, C. H.,	Guthrie,	Mikula,	Snyder,
Brunner, P. A.,	Gyger,	Miller,	Sollenberger,
Burns,	Haberlen,	Milliken,	Sorg,
Cadwalader,	Hall,	Mills,	Stank,
Chervenak,	Hamilton,	Modell,	Stockham,
Chudoff,	Hare,	Moore, C. E.,	Stonier,
Cohen,	Haudenshield,	Moore, W. J.,	Stuart,
Coleman,	Helm,	Moser,	Swope,
Cook,	Hennihan,	Munley,	Tahl,
Cooper,	Hering,	Murray, M. L.,	Tate,
Corrigan,	Herman,	Murray, P. G.,	Tittle,
Costa,	Hersch,	Myhan,	Trachtman,
Coulson,	Hewitt,	Nagel,	Trent,
Coyle,	Hoffman,	Nelson,	Trout,
Cullen,	Hoopes,	O'Brien,	Turbett,
Dague,	Howells,	O'Connor,	Turner,
Dalrymple,	Huntley,	O'Dare,	Varallo,
Dennison,	James,	O'Donnell,	Wachhaus.
Depuy,	Jones,	O'Neill,	Wagner,
Dillon,	Kennedy,	Owens,	Waterhouse,
Dix,	Kline,	Pentrack,	Watkins,
Dougherty,	Kolankiewicz,	Petrosky,	Weiss,
Duffy,	Komorofski,	Pettigrew,	Welsh,
Dye,	Krise,	Pickens,	Wescott,
Elder,	Kurtz,	Polaski,	White,
Elish,	Lane,	Polen,	Wood, L. H.,
Erb,	Laughner,	Propert,	Wood, N.,
Ewing,	Lee,	Readinger,	Worley,
Finnerty,	Leisey,	Reagan,	Wright,
Flack,	Levy,	Reese, D. P.,	Yeakel,
Fleming,	Lichtenwalter,	Reese, R. E.,	Fiss,
Foor,	Loftus,	Reidenbach,	Speaker.
Fox,	Longo,		

NAYS—17

Baker,	Leonard,	Mooney,	Schuster,
Barrett,	McNair,	Moran,	Shaffer,
Heatherington,	McNally,	Powers,	Verona,
Hunter,	Mihm,	Reynolds,	Yester,
Kirley,			

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk return same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration Senate Bill No. 719, as follows:

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patents providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the twenty-ninth day of September one thou-

sand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as reenacted and amended by the act approved the nineteenth day of May one thousand nine hundred forty-three (P. L. 262) are hereby further reenacted and amended to read as follows

An Act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer [of such institutions] to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws

Whereas Experience has proven that the care and maintenance of indigent mentally ill persons mental defectives and epileptics should be centralized in the State Government in order to insure their proper and uniform care maintenance custody safety and welfare and

Whereas Complete care for such persons in institutions operated exclusively by the State Government will effect great economics for municipal subdivisions

Section 1 All buildings acquired or erected by any county city ward borough township institution district or other political subdivision for the care maintenance and treatment of mental patients the personal property within such buildings or incidental thereto and any and all other grounds and lands connected therewith or annexed thereto are hereby transferred to and vested in the Commonwealth of Pennsylvania regardless of whether or not such property was used solely for mental patients or in common with indigent persons [except that] Provided That where any such buildings for mental patients are operated in conjunction with buildings dedicated to the care and maintenance of indigent persons who are not mental patients the buildings used for the care of such persons the personal property within such buildings or incidental thereto the land actually occupied by such buildings and the lands or yards presently set apart for the use of the indigent persons cared for in such buildings and the lands necessary for ingress and egress thereto and therefrom [shall not be deemed to be] are also hereby transferred to and vested in the Commonwealth upon compliance with the provisions set forth in sub-section (b) of section 2 of this act [but shall remain vested in the county city ward borough township institution district or other political subdivisions as theretofore]

Where any lands and property so transferred are presently used by any county city ward borough township institution district or other political subdivision as a farm and woodlands in connection with buildings dedicated to the care and maintenance of indigent persons who are not mental patients [the Department of Welfare of the Commonwealth with the approval of the Governor shall set apart and reconvey to the county city ward borough township institution district or other political subdivision through deed executed by the Secretary of Property and Supplies of the Commonwealth so much of such ground as the ratio of indigent persons bears to the total patient population of the institution as shall be determined by the Department of Welware of the Commonwealth The metes and bounds of the lands so to be conveyed shall be determined by agreement between the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision In case the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision cannot agree as to the metes and bounds of the lands so to be conveyed to the county city ward borough township institution district or other political subdivision the matter shall be laid before the court of common pleas of the county where the lands are located by petition of either the Secretary of Welfare of the Commonwealth or the authorities in charge of the county city ward borough township institution district or other political subdivision which court after hearing all parties in interest on such notice as it shall direct shall determine the metes and bounds of the lands which shall be conveyed to the county city ward borough township institution district or other political subdivision and shall enter an order accordingly The action of the court shall be final] said lands and property are also hereby transferred to and vested in the Commonwealth

Where auxiliary structures and facilities furnishing light heat power water laundry kitchen sewage treatment services and coal supply are so transferred to the Commonwealth which were theretofore used in common for the buildings devoted to mental patients and also the buildings devoted to indigent persons [the Commonwealth shall thereafter continue to furnish the proper county city ward borough township institution district or other political subdivision with such services at the actual cost thereof to the extent the same may hereafter be requested by the county city ward borough township institution district or other political subdivision] such auxiliary structures facilities services and supplies shall remain vested in the Commonwealth Provided however that from and after the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons the Commonwealth shall be relieved from all obligation to furnish any institution district with such services

Any property so transferred to and vested in the Commonwealth shall if found suitable in accordance with this act be thereafter used as a State mental hospital but if such property shall [within one year thereafter] be found unsuitable for such purpose or shall [within one year after transfer to and use by the Commonwealth as a State mental hospital] be thereafter abandoned by the Commonwealth as such a hospital before substantial improvements thereto have been made then in either event such building lands and personal property so transferred to the Commonwealth shall absolutely revert to and vest in the county city ward borough township institution district or other political subdivision from which transferred and the Commonwealth shall have no further claim or title thereto

In the event that any personal property originally

transferred to the Commonwealth cannot be returned to the political subdivisions from which transferred other personal property of value equivanent to that which was originally transferred to the Commonwealth may be returned by the Commonwealth to such political subdivision or the value of the personal property originally transferred to the Commonwealth at the date of return may be paid by the Commonwealth to such political subdivisions from funds appropriated to the Department of Welfare for such purpose

[The words "substantial improvements" as used in this section shall be construed to mean capital investments involving an expenditure of at least two hundred and fifty thousand dollars ($250,000)]

Section 2 (a) It shall be unlawful hereafter for any county city ward borough township institution district or other political subdivision to operate or maintain in whole or in part any existing institution for the care of mental patients or thereafter to begin to operate or manage any institution in whole or in part for this purpose Provided however that the county city ward borough township institution district or other political subdivision having charge of any such existing institution shall continue to operate and manage the same under existing laws until the Department of Welfare of the Commonwealth with the approval of the Governor formally takes over the management and operation of such institution or formally closes such institution in the manner hereinafter prescribed in this act And provided further That the authorities of general hospitals may continue to maintain or hereafter may set apart establish and maintain beds wards or departments for the temporary care of mental patients under licensure by the Department of Welfare as now provided by law

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred forty-seven Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefore has been paid in full so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision

Section 3 The Department of Welfare shall promptly make an investigation and survey of the institutions hereby transferred to the Commonwealth for the purpose of determining (1) which of the institutions are necessary having regard to the number of persons requiring care and treatment because of mental illness and the geographic location and capacity of other such mental hospitals and (2) which of the institutions having regard to existing facilities may be operated by the Commonwealth in such a manner as to insure the proper maintenance custody safety and welfare of mental patients Upon the completion of its investigation and survey the Department of Welfare shall submit to the Governor a report setting forth its findings and recommendations with respect to the institutions deemed necessary and suitable for the care maintenance and treatment of mental patients and the institutions deemed unnecessary or unsuitable for this purpose Upon receiving the report of the Department of Welfare the Governor shall from time to time but not later than the thirty-first day of May one thousand nine hundred forty-one having regard to the standards of necessity and suitability hereinbefore set out in this section determine which of the institutions shall be managed and operated by the Commonwealth as State mental hospitals and which institutions if any shall be closed Provided however That the Governor shall direct the State Department of Welfare to take over the management and operation of any such institution which is operated and managed by any city of the first class as soon as practicable after the effective date of this act and before the completion of the investigation and survey hereinbefore required in this section Before the management and operation of any institution is taken over by the Department of Welfare the Governor shall issue his proclamation setting forth the date on which the Department of Welfare will take over the management and operation of the institution In the event it shall be determined that a particular institution is to be closed the Governor shall issue a proclamation setting forth the date on which such institution will be closed The original of any such proclamation shall be filed in the office of the Secretary of the Commonwealth and a copy thereof shall be furnished the county city ward borough township institution district or other political subdivision authorities having charge of such institution

Section 4 Each institution subject to this act which the Governor shall direct the Depatment of Welfare to operate and manage shall be operated and managed by such department as a State mental hospital in accordance with the laws of the Commonwealth relating to such hospitals The Department of Welfare in managing and operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of State mental hospitals by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments designated as The Administrative Code of one thousand nine hundred twenty-nine All mental patients in any such institution at the time the management and operation thereof is assumed by the Department of Welfare shall have the same status as if originally committed or submitted to a State mental hospital Commitments may be made to any such institution mental patients may be detained maintained and cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with laws applying to other State mental hospitals The Department of Welfare shall have power to designate the counties of the Commonwealth from which commitments may be made to any such institution

Each institution acquired and operated by the Commonwealth as a State mental hospital under the provisions of this act shall be known as the .....State (descriptive name of political subdivision in which institution is located)
hospital for example the Philadelphia Hospital for Mental Diseases shall be known as the Philadelphia State Hospital

Section 5 When the Commonwealth through the Department of Welfare assumes the control and management of any institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of any such institution shall thereupon become employes of the Commonwealth subject to removal by the Secretary of Welfare

Section 6 In the event it shall be determined that any institution subject to this act shall be closed [the Department of Welfare shall take charge of such institution and] the terms of all officers and employes and the local management of such institution shall cease and terminate [The officers and employes of such institution shall thereupon become the employes of the Commonwealth subject to removal by the Secretary of Welfare] when their services are no longer required No new patients shall be admitted to any such institution after the date specified for its closing The Department of Welfare shall as soon as practicable transfer the patients in such institution to any other State mental hospital including any institution transferred to and being operated by the Commonwealth

under this act as a State mental institution As far as practicable the department shall transfer such patients to such State mental hospital nearest to the locality in which the institution to be closed is located After the patients in such institution are transferred therefrom the Department of Welfare shall with the approval of the Governor turn the institution and its grounds over to the Department of Property and Supplies for use for any other State purpose as may be deemed necessary and advisable by the Governor unless such institution under the provisions of section one of this act would revert to a county city ward borough township institution district or other political subdivision in which event such institution shall be turned over to the proper authorities thereof and shall thereafter be used for such purposes not inconsistent with this act as the county city ward borough township institution district or other political subdivision may determine

Section 7 (a) After the effective date of this act and until the management and operation of a particular institution is formally assumed by the Department of Welfare or until a particular institution is closed under the provisions of this act but not later than the thirty-first day of May one thousand nine hundred forty-one the county city ward borough township institution district or other political subdivision engaged in the operation and management of that institution shall continue to bear the expense of administering and operating the institution and the Commonwealth shall contribute towards the expense of indigent patients therein to the same extent and in the same manner as pertained under existing laws on the effective date of this act

(b) The Department of Welfare shall forthwith but not later than the thirtieth day of September one thousand nine hundred forty-seven make an investigation and survey of the property hereby transferred to the Commonwealth for the purpose of determining its most effective use in the mental hospital program of the Commonwealth what expenditures if any must be made in order to adapt or use the structures or facilities to the greatest advantage and otherwise absorb promptly and effectively the property hereby transferred in connection with the related State-owned mental hospital

Section 8 (a) All obligations incurred by reason of the erection acquisition or maintenance of a mental institution or an institution for the care and maintenance of indigent persons who are not mental patients by the county city ward borough township institution district or other political subdivision which are outstanding on the date that the Commonwealth shall take over the operation and management of such institution or shall order such institution closed shall remain the obligations of such county city ward borough township institution district or other political subdivision and shall be paid in the same manner as though said operation and management still remained in said county city ward borough township institution district or other political subdivision For the payment of such obligations the proper authorities of such county city ward borough township institution district or other political subdivision shall continue to have the power to levy and collect taxes as if control and management of the institution were still vested in such county city ward borough township institution district or other political subdivision

(b) All amounts due any county city ward borough township institution district or other political subdivision for the care of any mental patient in any institution transferred to the Commonwealth by this act that have accrued and remain unpaid on the date that the Commonwealth shall take over the operation and management of such institution or the date such institution is closed may be collected by the county city ward borough township institution district or other political subdivision in the same manner as if the control and management of the institution were still vested in such county city ward borough township institution district or other political subdivision Provided however That where there is a claim against the estate of any such mental patient both on behalf of the Commonwealth and on behalf of any county city ward borough township institution district or other political subdivision and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Commonwealth and the county city ward borough township institution district or other political subdivision in the proportion of the amount of maintenance legally recoverable by each

Section 8.1 Upon certificate by the Department of Welfare approved by the Governor that any ground land buildings or personal property are necessary for the use of the Commonwealth for the purposes of a mental hospital the Department of Property and Supplies of the Commonwealth shall have the authority and its duty shall be to appraise and fix the fair value of all grounds lands buildings and personal property transferred by this act and used for the care and maintenance of indigent persons or so much thereof as may be required by the Commonwealth for such purpose in accordance with the provisions set forth in sub-section (b) of section 2 of this act political subdivision is not satisfied with the fair value so fixed the price to be paid shall be fixed in the same manner as provided in the Administrative Code of one thousand nine hundred twenty-nine as in the case of the condemnation of private property taken for public use Upon certification to the State Treasurer payment for all or any part of such property acquired by the Commonwealth under this act shall be made by the Commonwealth to the proper political subdivisions from funds appropriated to the Department of Property and Supplies for such purpose upon delivery by the proper political subdivisions to the Commonwealth of good and sufficient deeds of conveyance or other evidences of title

Section 9 The following acts and parts of acts are hereby repealed

The act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (P. L. 83) entitled "An act to provide for the maintenance care and treatment of the indigent insane in county and local institutions as amended

The act approved the thirteenth day of May one thousand nine hundred nine (P. L. 535) entitled "An act to amend an act entitled 'An act to provide for the maintenance care and treatment of the indigent insane in county and local institutions' approved May twenty-five one thousand eight hundred ninety-seven increasing the weekly sum therein authorized to be paid from one dollar and fifty cents to two dollars"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 10 Section nine of this act shall become effective on the first day of June one thousand nine hundred forty-one and in all other respects this act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Barton,	Fullerton,	Lyons,	Salus,
Baumunk,	Gardner,	Madden,	Serrill,
Bonawitz,	Getchey,	Madigan,	Shoemaker,
Boorse,	Gibson,	Mahany,	Sloan,
Bower,	Goodling,	McAtee,	Smith,
Breisch,	Greenwood,	McClester,	Snyder,
Brice,	Greer,	McCormack,	Sollenberger,
Brunner, C. H.,	Guthrie,	McDowell,	Sorg,
Cadwalader,	Gyger,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Stonier,
Cooper,	Hare,	Mikula,	Stuart,
Costa,	Haudenshield,	Miller,	Tahl,

Coulson,	Helm,	Milliken,	Tittle,
Dague,	Hewitt,	Moore, C. E.,	Trout,
Dalrymple,	Hoffman,	Moser,	Turbett,
Dennison,	Hoopes,	Murray, P. G.,	Turner,
Depuy,	Howells,	Nelson,	Wachhaus,
Dix,	Huntley,	O'Dare,	Wagner,
Dye,	James,	Pickens,	Waterhouse,
Elder,	Kennedy,	Propert,	Watkins,
Erb,	Kline,	Reagan,	Wescott,
Ewing,	Krise,	Reese, D. P.,	Wood, L. H.,
Flack,	Kurtz,	Reilly,	Wood, N.,
Fleming,	Laughner,	Riley,	Worley,
Foor,	Lee,	Robertson,	Yeakel,
Fox,	Leisey,	Root,	Fiss,
Freed,	Lichtenwalter,	Royer,	Speaker.
Frost,	Loftus,		

NAYS—79

Andrews,	Grant,	McNair,	Polaski,
Baker,	Haberlen,	McNally,	Polen,
Barrett,	Hamilton,	Mihm,	Powers,
Bentzel,	Heatherington,	Mills,	Readinger,
Boney,	Hennihan,	Modell,	Reidenbach,
Brancato,	Herman,	Mooney,	Reynolds,
Brothers,	Hersch,	Moore, W. J.,	Rudisill,
Brown,	Hunter,	Moran,	Scanlon,
Brunner, P A.,	Jones,	Munley,	Schuster,
Chervenak,	Kirley,	Murray, M. L.,	Shaffer,
Chudoff,	Kolankiewicz,	Myhan,	Skale,
Cohen,	Komorofski,	Nagel,	Snider,
Coleman,	Lane,	O'Brien,	Swope,
Corrigan,	Leonard,	O'Connor,	Tate,
Dillon,	Levy,	O'Donnell,	Weiss,
Elish,	Longo,	O'Neill,	Welsh,
Finnerty,	Lopez,	Owens,	White,
Gaffney,	Lovett,	Pentrack,	Wright,
Gallagher,	Matthews,	Petrosky,	Yester,
Gore,	McLanahan,	Pettigrew,	

NOT VOTING—19

Bentley,	Cullen,	Hoggard,	Trachtman,
Boies,	Dougherty,	Reese, R. E.,	Trent,
Boory,	Duffy,	Regan,	Varallo,
Burns,	Green,	Rose,	Verona,
Coyle,	Hering,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS DROPPED FROM CALENDAR

Mr. LICHTENWALTER. Mr. Speaker, I move that all bills remaining on the calendar, be dropped from the calendar.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. COHEN. During the night's proceedings my calendar disappeared for a considerable time, and so did I. May I refer to page twenty-eight of the calendar and ask what happened to Senate Bill 766, Printer's No. 594?

The SPEAKER. That bill was passed finally.

Mr. COHEN. And on page twenty-seven of the calendar, Senate Bill 638, Printer's No. 598?

The SPEAKER. All the bills on that page were passed finally.

Mr. COHEN. Thank you, Mr. Speaker, that is all.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 854.

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 9, line 17, by striking out the following: "from a list of not more than ten persons qualified as aforesaid recommended by the Pennsylvania Real Estate Association in case of the failure of said association to submit such a list to the Governor he shall appoint any person qualified as aforesaid without restriction"; also page 10, line 20, by striking out "twenty-five ($25)" and inserting in lieu thereof "fifteen dollars ($15)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,

Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner.
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona.
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 872.

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons cooperative agricultural associations having capital stock State and county officers boards and departments and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments:

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 6, by inserting after the word "association" the following, "engaged only in agricultural enterprise and."

Amend section 3, page 3, line 12, by striking out the word "pen" and inserting in lieu thereof the word "per."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus.
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White.
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 908.

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be

administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygientists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 11, page 10, by striking out lines 14 to 24 inclusive as follows:

"Section 1513 On or before the first day of October each year all teachers and school employes shall be required to submit to the board of school directors such evidence of physical fitness as may be required by the Secretary of Health on an official form provided for that purpose These examinations shall be made by school physicians at the expense of the Secretary of Health or local boards of school directors or may at the option of the person examined and at his or her expense be made by any other physician licensed to practice in this Commonwealth."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1098.

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 4, page 3, line 9, by striking out "fifty-five (55)" and inserting in lieu thereof "sixty (60)": also section 4(b), line 28 by striking out "ten (10)" and inserting in lieu thereof "twelve (12)": also on page 5 line 10 strike out "ten (10)" and inserting in lieu thereof "twelve (12)"; also in section 10 page 7 line 9 by inserting after the word "Act" the following: not however to exceed in any one year an amount in excess of the proceeds of three tenth of one mill on the assessed valuation of the City for City purposes."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,

Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1139.

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office and providing an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title by striking out the word "State" and inserting in lieu thereof the word "States"; also section 1, page 2, line 15, by inserting after the word "Board" the following: "and one of whom shall be a member of the General Assembly of the Commonwealth of Pennsylvania".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1189.

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein

further regulating the sale of commodites authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by inserting after the word "solids" the words "and frozen fluid products",

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Bonawitz,	Goodling,	McCormack,	Rudisill,
Boney,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Boory,	Green,	McLanahan,	Schuster,
Bower,	Greenwood,	McMillen,	Serrill,
Brancato,	Greer,	McNair,	Shaffer,
Breisch,	Guthrie,	McNally,	Shoemaker,
Brice,	Gyger,	Mihm,	Sloan,
Brothers,	Haberlen,	Mikula,	Smith,
Brown,	Hall,	Miller,	Snider,
Brunner, C. H.,	Hamilton,	Milliken,	Snyder,
Brunner, P. A.,	Hare,	Mills,	Sollenberger,
Burns,	Haudenshield,	Modell,	Sorg,
Cadwalader,	Heatherington,	Mooney,	Stank,
Chervenak,	Helm,	Moore, C. E.,	Stockham,
Chudoff,	Hennihan,	Moore, W. J.,	Stonier,
Cohen,	Hering,	Moran,	Stuart,
Coleman,	Herman,	Moser,	Swope,
Cook,	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells.	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, L. H.,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Reidenbach,	Fiss,
Freed,	Lopez,	Reilly,	Speaker.
Frost,	Lyons,		

NAYS—1

Lovett,

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 957.

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 32, line 10, by inserting after the word "miles]" the following:

Route 33064 Beginning at a point on [Route 59 in the village of Harvey's Run thence northwesterly through Washington Township crossing] Route 33038 about 1.0 mile south of Beechtree thence southwesterly and westerly in Washington Township to an intersection with Route 33029 about 0.5 of a mile south of Coal Glen in Jefferson County a distance of about [4.5] 2.0 miles

[Route 33075 Beginning at a point on Route 33051 about 0.5 of a mile north of Route 33040 thence in an easterly and southeasterly direction through Winslow Township to the Sykesville Borough line in Jefferson County a distance of about 1.6 miles]

[Route 33084 Beginning at a point on Route 33033 about 0.5 of a mile west of the Clearfield County line thence in a northerly direction through Henderson Township to the Sykesville Borough line in Jefferson County a distance of about 0.7 of a mile]".

Amend Section 1, page 36, line 13, by striking out the following: "Route 41125 Beginning at a point on Route 106 about 0.3 of a mile north of Brookside thence northeasterly through Cogan House Township to a point on Route 353 about 0.2 of a mile southwest of White Pine in Lycoming County a distance of about 2.0 miles", also section 1, page 44, line 2, by inserting after the word "mile" the following: "Route 53073 Beginning at a point of road intersection 17 about .25 of a mile north of the point of intersection of Class New Castle and Norwegian Township lines in Cass Township thence [northeasterly through Cass and New Castle Townships] to a point near a railroad crossing thence over a right-of-way to be dedicated for highway purposes thence to a point where it intersects Route 53032 at Wade in Schuylkill County a distance of about 1.6 miles."

Also Section 1, page 47, line 12, by inserting after the word "mile]" the following: Route 57126 Beginning at a point on Route 57025 about 1.0 mile south of Tiffany thence southeasterly through Bridge Water Township to a point on Route 174 thence southeasterly through Bridgewater and Brooklyn Townships to Route 57027 about 1 mile north of Route 174 in Susquehanna County a distance of about [0.8 of a mile] 3.2 miles".

Also Section 1, page 49, line 14, by inserting after the word "miles]" the following: "Route 59011 Beginning at

a point on Route 59005 about 0.75 of a mile east of White Springs thence southerly through Limestone Township to the north bank of Penn Creek thence easterly along the north bank of Penn Creek to an intersection with State Highway Route [26 at the Snyder County line] 27 about 1.5 miles west of New Berlin in Union County a distance of about [1.8] 3.9 miles".

Also Section 2, page 54, line 24, by inserting after the word "routes" the following: "Allegheny County Route 02234 Beginning at a point on the Stoops Ferry and Shousetown County Road in Wireton thence southerly and westerly in Crescent Township to a point on the Beaver County line in Allegheny County a distance of about 1.25 miles

Route 02235 Beginning at a point on the northwest line of Castle Shannon Borough thence northwesterly in Mt Lebanon Township on Castle Shannon Boulevard to a point on Route 806 thence northwesterly in Mt Lebanon and Scott Townships on Cochran Road to a point on Route 802 in Allegheny County a distance of about 3 miles."

Also Section 2, page 65, line 20, by inserting after the word "miles" the following: "Route 30123 Beginning at a point on Route 30076 about 0.7 of a mile northeast of Rameys Crossroads thence northwesterly in Monongahela Township to a point on Route 451 about one mile north of Sigsbee in Greene County a distance of about 2.5 miles".

Also Section 2, page 66, line 20, by inserting after the word "miles" the following: "Jefferson County Route 33085 Beginning at a point on the Western line of Falls Creek Borough at Fuller Avenue thence westerly and northwesterly in Washington Township to a point on Route 33029 near Kyle Run in Jefferson County a distance of about 3.3 miles

Route 33086 Beginning at a point on Route 33039 at Wishaw thence northerly in Winslow Township to a point on Route 358 south of Jenks School in Jefferson County a distance of about 2.5 miles

Route 33087 Beginning at a point on Route 358 about 1.2 miles north of Punxsutawney thence northeasterly and easterly in Bell Township to a point on Route 33036 near Trout Run School in Jefferson County a distance of about 2.6 miles

Route 33088 Beginning at a point on Route 189 near Rikers thence southeasterly in Bell Township to a point on Route 436 west of the Cloe M E Church in Jefferson County a distance of about 1.9 miles".

Also Section 2, page 70, line 2, by inserting after the word "miles" the following: "Route 41141 beginning at a point on Route 41123 about 0.3 of a mile northwest of Application 12 thence westerly in Loyalsock Township to Ohev Sholem Cemetery in Lycoming County a distance of about 0.1 of a mile".

Also Section 2, page 73, line 17, by inserting after the word "miles" the following: "Route 53112 Beginning on Route 53063 about 0.55 of a mile north of the Lehigh Valley Railroad thence northwesterly through Mahanoy East Union and Union Townships to Route 53042 about 1.0 miles east of Krebs in Schuylkill County a distance of about 2.5 miles".

Also Section 2, page 75, line 5, by inserting after the word "mile" the following: "Route 57138 Beginning at a point on Route 57080 just east of the Forest Lake Township line thence northeasterly in Bridgewater Township to Route 842 just south of the Silver Lake Township line in Susquehanna County a distance of about 1.6 miles

Route 57139 Beginning at a point on Route 57044 about 0.3 of a mile northeast of its intersection with Route 57045 thence northwesterly and northeasterly through Clifford and Gibson Townships via Palma to Route 945 about 0.3 of a mile southeast of Route 365 in Susquehanna County a distance of about 5.30 miles

Route 57140 Beginning at a point on Route 57122 about 0.60 of a mile southeast of its intersection with Route 57034 thence easterly northeasterly and southeasterly in Lenox Township to Route 57035 about 0.3 of a mile south of its intersection with Route 941 in Susquehanna County a distance of about 1.5 miles

Route 57141 Beginning at a point on Route 57095 near the Dimock Township line thence southeasterly in Brooklyn Township to Route 57020 just north of the Lathrop Township line in Susquehanna County a distance of about 0.5 of a mile

Route 57142 Beginning at a point on Route 57108 about 0.25 of a mile west of Route 939 thence southwesterly in Brooklyn Township to Route 57095 about 1.5 miles west of Route 939 in Susquehanna County a distance of about 0.9 of a mile

Route 57143 Beginning on Route 9-Spur about 0.5 of a mile north of the Lathrop Township line thence in a northeasterly and northwesterly direction in Brooklyn Township to Route 944 in Susquehanna County a distance of about 2 miles

Route 57144 Beginning at a point on Route 57135 about 1.6 miles southwest of Route 174 thence southwesterly in Lenox Township to Route 57036 in Susquehanna County a distance of about 0.6 of a mile".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 690.

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 24, by inserting after the word "father" the word "and"; also in same line, by striking out after the word "mother" the words "grandparent and grandchild".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Manley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 692.

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificate of registration

Mr. LICHTENWALTER. Mr. Speaker, I move that the House recede from its amendments non-concurred in by the Senate.

On the question,

Will the House recede from its amendments non-concurred in by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,

Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 404.

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

SENATE BILL No. 434.

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole and conferring jurisdiction on criminal courts in certain cases

SENATE BILL No. 638.

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus And for reserves as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789)

SENATE BILL No. 766.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States

AMENDED HOUSE BILLS RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 528.

An Act to further amend subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal calims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices

of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the transportation of loads in excess of seating capacity of motor vehicles for the carriages of passengers for hire

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 289.

An Act to further amend section four of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by adding clause (d) authorizing any school district to contract with public or private agencies for the use of its vocational school facilities in public schools

Said bill having been recalled from the Governor for the purpose of amendment, the vote had no final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 57.

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register

SENATE BILL No. 116.

An Act to further amend sections one eleven and twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and imposing further powers and duties upon the retirement board prescribing the rights and liabilities of withdrawing contributors and of disability annuitants

SENATE BILL No. 183.

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties

SENATE BILL No. 197.

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations authorizing and directing said Authority to cancel its bonds discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania authorizing and directing the Department of Property and Supplies to transfer to any land grant college or the State Farm Products Show Commission any properties acquired by it from The General State Authority which are being used by such land grant college or such commission and making an appropriation

SENATE BILL No. 437.

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation

SENATE BILL No. 508.

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

SENATE BILL No. 523.

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

SENATE BILL No. 539.

An Act to amend Section nine of the Act approved the fifth day of May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

SENATE BILL No. 561.

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

SENATE BILL No. 624.

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction

SENATE BILL No. 626.

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters

SENATE BILL No. 687.

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years

SENATE BILL No. 724.

An Act to further amend subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further provisions for designation and selection of representatives for purposes of collective bargaining

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 52

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 52.

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 548.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 548.

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 658

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 658.

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 563

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing

between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 563.

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1945.

Resolved (if the Senate concur), That House Bill No. 1001, Printer's No. 432, entitled "An act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education," be recalled from the Governor for further consideration and amendment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 52

The SPEAKER. The Chair lays before the House the report of the Committee of Conference on Senate Bill No. 52, Printer's No. 607.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 52, entitled: "An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent, administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof, and preserving equitable jurisdiction in certain cases."

Respectfully submit the following bill as our report:

John M. Walker,
O. J. Tallman,
Wallace S. Gourley,
(Committee on the part of the Senate.)

Jacob L. Moser,
David P. Reese, Jr.,
John J. Baker,
(Committee on the part of the House of Representatives.)

An Act relating to the practice procedure regulations and adjudications of departments departmental administratice boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases

The General Assembly of the Commonweaelth of Pennsylvania hereby enacts as follows

Short Title and Definitions

Section 1 Short Title This act shall be known and may be cited as the "Administrative Agency Law"

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

(a) "Adjudication" means any final order decree decision determination or ruling by an agency affecting personal or property rights privileges immunities or obligations of any or all of the parties to the proceeding in which the adjudication is made but shall not mean any final order decree decision determination or ruling based upon a proceeding before a court or which involves the seizure or forfeiture of property or which involves paroles or pardons

(b) "Agency" means any department departmental administrative board or commission independent administrative board or commission officer or other agency of this Commonwealth now in existence or hereafter created having statewide jurisdiction empowered to determine or affect private rights privileges immunities or obligations by regulation or adjudication but shall not include a court of record nor a magistrate alderman or justice of the peace

(c) "Party" means any person who appears in a proceeding before an agency who has a direct interest in the subject matter of such proceedings

(d) "Person" means any individual or organized group of any character including partnerships corporations and other forms of association as well as federal state or local instrumentalities political subdivisions or officers thereof

(e) "Regulation" means any rule regulations or order in the nature of a rule or regulation generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation

Representation and Discipline

Section 11 Representation Any party may be represented before an agency

Section 12 Discipline Any agency may upon hearing and good cause shown preclude any attorney from practice before it subject to the same right of appeal as hereinafter provided from adjudications

Regulation Procedure

Section 21 Publication of Existing Regulations All regulations of any agency which are in effect on the effective date of this act or which shall be promulgated within ninety days thereafter shall expire one hundred days after the effective date of this act unless codified indexed and filed within said period of one hundred days for publication in the Pennsylvania Register Regulations promulgated after ninety days and within one hundred fifty days after the effective date of this act shall expire one hundred sixty days after the effective date of this act unless filed for publication in the Pennsylvania Register within said period of one hundred sixty days

Section 22 Publication of Future Regulations Revisions and Amendments No regulation or revision amendment or repeal of an existing regulation promulgated after one hundred fifty days following the effective date of this act shall be valid unless published in the Pennsylvania Register within forty-five days after its adoption

Section 23 Emergency or Extraordinary Regulations The provisions of this act requiring publication may be dispensed with in cases in which the Department of Justice shall certify that because of an emergency or other compelling extraordinary circumstances the public interest requires that the regulation shall remain effective even though not published within the time required in section twenty-two In such cases the regulation together with a copy of the certification of the Department of Justice shall be published in the earliest available issue of the Pennsylvania Register

Adjudication Procedure

Section 31 Hearing and Record No adjudication shall be valid as to any party unless he shall have been afforded reasonable notice of a hearing and an opportunity to be heard All testimony shall be stenographically recorded and a full and complete record shall be kept of the proceedings

Section 32 Evidence Cross-examination Agencies shall not be bound by technical rules of evidence at agency hearings and all relevant evidence of reasonable probative value may be received Reasonable examination and cross-examination shall be permitted

Section 33 Briefs Oral Argument All parties shall be afforded opportunity to submit briefs prior to adjudication Oral argument upon substantial issues may be heard by the agency

Section 34 Adjudications Service All adjudications shall be in writing shall contain findings and the reasons for the adjudication and shall be served upon all parties or their counsel personally or by mail If service is made by mail the date of mailing shall be the date of service

Section 35 Procedural Regulations Agencies shall have the power to promulgate regulations prescribing their practice with respect to adjudication procedure not inconsistent with the terms of this act The adoption of such regulations shall be subject to the provisions of sections twenty-one to twenty-three inclusive hereof

Judicial Review

Section 41 Appeals Within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority then within thirty days after service of the order of the agency refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom Such appeal shall be taken to the Court of Common Pleas of Dauphin County Parties interested jointly severally or otherwise in the same adjudication may join in an apepal therefrom even though all of the interested parties do not join therein

Section 42 Procedure on Appeal The procedure applicable to appeals from adjudications shall be in accordance with the rules of civil procedure promulgated from time to time by the Supreme Court of Pennsylvania A party who proceeded before an agency under the terms of a particular statute shall not be precluded from questioning the validity of said statute in the appeal but such party may not raise upon appeal any other question not raised before the agency unless allowed by the court upon due cause shown

The remedy at law provided by this section shall not in any manner impair the right to equitable relief heretofore existing and such right to equitable relief is hereby continued notwithstanding the provisions of this section

Section 43 Supersedeas Unless otherwise provided by a statute authorizing a particular appeal no appeal shall operate as a supersedeas unless the court to which the appeal is taken or a judge thereof shall so order after hearing Upon due notice to the agency The court may grant a supersedeas upon such terms and conditions including the filing of security as it may prescribe Where the statute pertaining to a particular subject of adjudication requires that security be filed as a condition to obtaining a supersedeas the court shall require adequate security

Section 44 Disposition of Appeal The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the agency After hearing the court shall affirm the adjudication unless it shall find that the same is in violation of the constitutional rights of the appellant or is not in accordance with law or that the provisions of sections thirty-one to thirty-five inclusive of this act have been violated in the proceeding before the agency or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence If the adjudication is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the agency for further disposition in accordance with the order of the court

Section 45 Appellate Review The agency or any party affected by any decision of a court on an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior or Supreme Court as in other cases

Exemptions

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of Sections 31 to 45 inclusive shall not apply to an adjudication of an agency from which an appeal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final

(b) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies

Repealer

Section 55 All acts or parts thereof inconsistent with the provisions of this act are hereby repealed All existing applicable statutory provisions not inconsistent with this act shall remain in full force and effect

Effective Date

Section 61 This act shall take effect on the first day of January one thousand nine hundred forty-six

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,

Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 62

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 26, 1945.

Be it Resolved (if the Senate concurs) That there is hereby created a special committee to consist of five members of the House of Representatives to be appointed by the Speaker of the House and five Senators to be appointed by the President pro tempore of the Senate the duty and authority of which committee shall be to make upon the part of the General Assembly a careful thorough and impartial study and examination of

(1) the various laws and statutes of the Commonwealth pertaining or relating to the jurisdiction duties and powers of the Department of Highways its officers employes and personnel and

(2) the various laws and statutes of the Commonwealth pertaining or relating to the construction maintenance and supervision of highways and bridges in the Commonwealth and

(3) the regulations practices records and activities of the Department of Highways of the Commonwealth in relation to the administration of the duties and powers vested in such department as well as in connection with the construction maintenance and supervision of highways and bridges

The committee is hereby authorized and directed to take testimony of such witnesses and to examine such papers and records as the committee may deem necessary to effectuate its study and examination

This committee shall have the power to sit and continue its studies and investigations after the adjournment of this current session of the General Assembly

During the interim between the current and the next regular session of the General Assembly this committee may from time to time report to the Governor of the Commonwealth their findings and recommendations and such committee shall report to the General Assembly at its next regular session its findings and its recommendations as to such changes revisions or improvements as it may find to be necessary or desirable to correct any imperfections insufficiencies and defects in the law and statutes or to correct any abuses and evils in the administration of the affairs of the said Department of Highways

The committee shall have the right and authority to request any person or persons to appear before them and to answer any questions touching on matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary

The Secretary of Highways and his Department are hereby requested to furnish unto said committee such information and such assistance as the committee may require and request and the Secretary of Highways is requested to authorize and direct the appearance before said committee of such persons officers officials or employes of the Department as the committee may designate and request

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1002

Mr. SORG. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1002, Printer's No. 789.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1002, entitled: "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation, and prescribing penalties."

Respectfully submit the following bill as our report:

Frederick L. Homsher,
Paul L. Wagner,
Joseph M. Barr
(Committee on the part of the Senate.)

Herbert P. Sorg,
Ivan C. Watkins,
Reuben E. Cohen,
(Committee on the part of the House of Representatives.)

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Vocational Rehabilitation Act of one thousand nine hundred forty-five"

Section 2 Definitions As used in this act

(1) "State board" means the members of the State Council of Education and the Secretary of Labor and Industry who shall constitute the State Board of Vocational Education and which Board is also designated as the State Board of Vocational Rehabilitation

(2) "Employment handicap" means a physical or mental condition which constitutes contributes to or if not corrected will probably result in an obstruction to professional or occupational performance

(3) "Disabled individual" means any person who has a substantial employment handicap

(4) "Vocational rehabilitation" and "vocational rehabilitation services" mean any services provided directly or through public or private instrumentalities found to be necessary to compensate a disabled individual for his employment handicap and to enable him to engage in a remunerative occupation or profession including but not limited to medical and vocational diagnosis vocational guidance counseling and placement rehabilitation training or instruction physical restoration transportation occupational licenses occupational tools equipment and supplies maintenance and training books supplies and materials

(5) "Rehabilitation training or instruction" means all necessary training or instruction provided to a disabled individual to compensate for his employment handicap including but not limited to manual pre-conditioning prevocational vocational and supplementary training or instruction and training or instruction provided for the purpose of achieving broader or more remunerative skills and capacities

(6) "Physical restoration" means any medical surgical or therapeutic treatment necessary to correct or substantially reduce a disabled individual's employment handicap within a reasonable length of time including but not limited to medical psychiatric dental and surgical treatment nursing services hospital and convalescent home care drugs medical and surgical supplies and prosthetic appliances but excluding curative treatment for acute or transitory conditions

(7) "Prosthetic appliance" means any artificial device necessary to support or take the place of a part of the body or to increase the acuity of a sense organ

(8) "Occupational licenses" means any license permit or other written authority required by any governmental unit to be obtained in order to engage in an occupation

(9) "Maintenance" means money payments necessary to meet living requirements during vocational rehabilitation

(10) "Occupational tools equipment and supplies" means such customary implements appliances apparatus fixtures and materials necessary in the particular case for the successful prosecution of the disabled individual's employment objective

(11) "Severely handicapped individual" means a disabled individual for whom it is found that because of the nature of his disabilities participation in competitive employment will not be practicable even after provision of vocational rehabilitation services

(12) "Regulations" means regulations made by the State board

Section 3 Regulations In carrying out its duties under this act the State board subject to the approval of the Executive Board of the Commonwealth when required by law shall make regulations governing personnel standards the protection of records and confidential information the manner and form of filing applications eligibility and investigation and determination thereof for vocational rehabilitation services procedures for fair hearings and such other regulations as it finds necessary to carry out the purposes of this act

Section 4 Administration Except as otherwise provided by State law with respect to vocational rehabilitation of the blind the State board shall provide vocational rehabilitation services to disabled individuals determined to be eligible therefor and in carrying out the purposes of this act the State board is authorized among other things

(1) To cooperate with other departments agencies and institutions both public and private in providing for the vocational rehabilitation of disabled individuals in studying the problems involved therein and in establishing developing and providing in conformity with the purposes of this act such programs facilities and services as may be necessary or desirable

(2) To enter into reciprocal agreements with other states to provide for the vocational rehabilitation of residents of the states concerned

(3) To conduct research and compile statistics relating to the vocational rehabilitation of disabled individuals

(4) To administer the expenditure of funds made available by the government of the United States for vocational rehabilitation

(5) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(6) To administer the laws of the Commonwealth providing for vocational rehabilitation

The Secretary of Labor and Industry shall be chief executive officer for vocational rehabilitation of the State Board of Vocational Education Moneys received from the Federal Government and moneys contributed by the Commonwealth of Pennsylvania shall be paid into a special fund in the State Treasury to be called the "Vocational Rehabilitation Fund" subject to requisition by the State Board through its executive officer

All persons employed by the Department of Labor and Industry and the Department of Public Instruction in administering the laws relating to vocational rehabilitation on the effective date of this act are hereby transferred to and shall become employes of the State Board of Vocational Rehabilitation in the Department of Labor and Industry and shall be assigned to the Board of Vocational Rehabilitation to continue the administration of said laws

The Bureau of Rehabilitation in the Department of Labor and Industry shall be administered supervised and controlled by the State Board and all persons employed by the Department of Labor and Industry and the Department of Public Instruction in administering the laws relating to vocational rehabilitation on the effective date of this act shall become and are employes of the State Board The status of every such person under any law or regulation providing for civil service shall not be affected by such transfer

All files records and equipment of the Department of Labor and Industry and Department of Public Instruction pertaining to the administration of the laws relating to vocational rehabiltation shall become the property of the State Board of Vocational Education designated as the State Board of Vocational Rehabilitation

Section 5 Cooperation with Federal Government The State board shall cooperate pursuant to agreements with the Federal government in carrying out the purposes of any Federal statutes pertaining to vocational rehabilitation and is authorized to adopt such methods of administration as are found by the Federal government to be necessary for the proper and efficient operation of such agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such Federal statutes

Section 6 Receipt and Disbursement of Vocational Rehabilitation Funds The State Treasurer is hereby designated as the custodian of all funds received from the Federal government for the purpose of carrying out any Federal statutes pertaining to vocational rehabilitation The State Treasurer shall make disbursements from such funds and from all State funds available for vocational rehabilitation purposes in accordance with law

Section 7 Eligibility for Vocational Rehabilitation Vocational rehabilitation services shall be provided to any disabled individual (1) who is a resident of the State at the time of filing his application therefor and whose vocational rehabilitation the State board determines after full investigation can be satisfactorily achieved or (2) who is eligible therefor under the terms of a reciprocal agreement with another state or with the Federal government Provided That except as otherwise provided by law or as specified in any agreement with the Federal government with respect to classes of individuals certified to the State board thereunder the following rehabilitation services shall be provided at public cost only to disabled individuals found to require financial assistance with respect thereto

(1) Physical restoration

(2) Transportation not provided to determine the eligibility of the individual for vocational rehabilitation services and the nature and extent of the services necessary

(3) Occupational licenses

(4) Occupational tools equipment and supplies

(5) Maintenance

Section 8 Maintenance not Assignable No right of a disabled individual under this act shall be transferable or assignable at law or in equity

Section 9 Hearings Any individual applying for or receiving vocational rehabilitation who is aggrieved by any action or inaction of any officer or agent of the State board shall be entitled in accordance with regulations to a fair hearing by the State board

Section 10 Misuse of Vocational Rehabilitation Lists and Records It shall be unlawful except for purposes directly connected with the administration of the vocational rehabilitation program and in accordance with regulations for any person or persons to solicit disclose receive or make use of or authorize knowingly permit participate in or acquiesce in the use of any list of or names of or any information concerning persons applying for or receiving vocational rehabilitation directly or indirectly derived from the records papers files or communications of the State or subdivisions or agencies thereof or acquired in the course of the performance of official duties Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 11 Limitation on Political Activity No officer or employe engaged in the administration of the vocational rehabilitation program shall use his official authority or influence or permit the use of the vocational rehabilitation program for the purpose of interfering with an election or affecting the results thereof or for any partisan political purpose No such officer or employe shall take any active part in the management of political campaigns or participate in any political activity except that he shall retain the right to vote as he may please and to express his opinions as a citizen on all subjects No such officer or employe shall solicit or receive nor shall any such officer or employe be obliged to contribute or render any service assistance subscription assessment or contribution for any political purpose Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 12 Repeals The act approved the eighteenth day of July one thousand nine hundred nineteen (P L. 1045) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" and the act approved the second day of March one thousand nine hundred twenty-one (P. L. 12) entitled "An act relating to vocational rehabilitation accepting the provisions and benefits of the act of Congress approved the second day of June one thousand nine hundred and twenty entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment' providing for the rehabilitation of disabled persons and their return to civil employment and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" are hereby repealed

Section 13 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 14 Effective Date The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-five

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boles,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 106

Mr. DIX. Mr. Speaker, I submit the report of the Committee of Conference on Senate Bill No. 106.

The SPEAKER. The report will be filed. This being a Senate Bill, the report will be printed by the Senate.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 724.

An Act to amend section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class

With the information that the Senate has passed the same without amendment.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 62

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 62.

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels for a limited time providing for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions and imposing duties on the Department of Highways

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 24.

An Act to amend subsection (a) of section two of article two of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by making the mayor of any such city eligible to such office for one successive term

HOUSE BILL No. 63.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the necessity of proclaiming the names of persons elected to certain offices.

HOUSE BILL No. 66.

An Act making an appropriation to the Department of Forests and Waters for improvement and development of the Ports of Philadelphia Chester Pittsburgh and Erie

HOUSE BILL No. 67.

An Act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof

HOUSE BILL No. 94.

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie

HOUSE BILL No. 123.

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further fixing the fee for filing nomination petitions for the office of county auditor in counties of the eighth class

HOUSE BILL No. 139.

An Act making an appropriation to the Department of Property and Supplies for use at State Teachers Colleges and Cheyney Training School for Teachers the Pennsylvania Soldiers' Orphan School the Thaddeus Stevens Industrial School the Pennsylvania Oral School for the Deaf at Scranton the Pennsylvania State College historical monuments markers or properties in the custody of the Pennsylvania Historical Commission for purchase or condemnation of land for construction of new buildings for repair and alteration to and replacement of existing buildings and for architectural and engineering services for fixtures equipment sewage treatment plants water supply and electrical and other facilities

HOUSE BILL No. 170.

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

HOUSE BILL No. 276.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

HOUSE BILL No. 288.

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone and the farm where he was born and to provide for the control management supervision improvement preservation and maintenance thereof and making an appropriation

HOUSE BILL No. 326.

An Act making an appropriation to the Department of Welfare for the payment of the cost of building a protective wall along the bank of the Ohio River roof repairs steel beam supports and renewal of piping in power plant and one new generator all at the Dixmont Hospital Dixmont Allegheny County Pennsylvania

HOUSE BILL No. 328.

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital Dixmont Allegheny County Pennsylvania

HOUSE BILL No. 438.

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements prohibiting the sale of real property for the non-payment of such claims for a certain period preserving the liens of such claims and providing for the extension thereof

HOUSE BILL No. 578.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" changing the conditions to borrow money for current expenses

HOUSE BILL No. 585.

An Act to amend the title and sections one and two of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 476) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" by making the act applicable to counties of the second class and changing and further fixing such fees

HOUSE BILL No. 587.

An Act to amend section one hundred forty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth.

HOUSE BILL No. 602.

An Act to further amend section one of an act approved the eleventh day of June one thousand nine hundred fifteen (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks

HOUSE BILL No. 636.

An Act to further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers property and duties transferring certain powers duties and employes from the Department of Public Instruction to the said commission abolishing the Pennsylvania Historical Commission and making available to the commission moneys appropriated or allocated to or for the use of the Pennsylvania Historical Commission the State Museum and the Archives division of the State Library

HOUSE BILL No. 658.

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religous benevolent humane and patriotic purposes" by exempting federated women's clubs

HOUSE BILL No. 675.

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions thereof and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunds bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debt on decedent's real estate in certain cases

HOUSE BILL No. 691.

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

HOUSE BILL No. 714.

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue

HOUSE BILL No. 716.

An Act to further amend sections one and eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors

HOUSE BILL No. 722.

An Act to amend section one of the act approved the third day of May one thousand nine hundred and fifteen (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" by extending said act to counties of the second class changing and further fixing the fees to be charged by said prothonotary

HOUSE BILL No. 782.

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third and fourth classes for their official acts and services of their deputies watchmen appraisers

and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputites providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local

HOUSE BILL No. 828.

An Act to further amend section two and to amend sections three and four of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" further regulating the returns of taxable property made by taxpayers under the provisions of said act

HOUSE BILL No. 871.

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section and making such further limitation retroactive

HOUSE BILL No. 881.

An Act requiring boards of prison inspectors in counties of the fourth class to pay the premiums on all bonds required of employes appointed by the board

HOUSE BILL No. 890.

An Act to further amend section two thousand six hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the second third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city borough town or township

HOUSE BILL No. 958.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and mainteance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

HOUSE BILL No. 959.

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes

HOUSE BILL No. 1001.

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

HOUSE BILL No. 1011.

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2687) entitled "An act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect office buildings and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease" removing the authorization to contract for the erection of buildings

HOUSE BILL No. 1088.

An Act to amend section six hundred two point one of article six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the sale of land or any interest therein

HOUSE BILL No. 1089.

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

HOUSE BILL No. 1130.

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in city housing projects in redevelopment areas as herein defined either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions

HOUSE BILL No. 1131.

An Act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevolpment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties

HOUSE BILL No. 1132.

An Act to amend the title and sections 2 3 4 6 and 10 to repeal section 19 of and to add section 21.1 to the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation" by substituting the Department of Commerce for the Department of Health eliminating the honorarium for members of the board requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director enlarging the board's general powers and the plans to be filed therewith rescinding the provisions for selection and removal of the board's employes to transfer the board from the Department of Health to the Department of Commerce and making an appropriation

HOUSE BILL No. 1133.

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

HOUSE BILL No. 1184.

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by giving jurisdiction to the Municipal Court of Philadelphia County

HOUSE BILL No. 1194.

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in and an endowment fund for the Mt Zion Cemetery which is part of the historic Ephrata Cloister land located in Ephrata Lancaster County Pennsylvania

HOUSE BILL No. 1199.

An Act to further amend section four hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the preservation of certain records

HOUSE BILL No. 1234.

An Act to further amend sections one and ten of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

HOUSE BILL No. 1235.

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that departmen arising out of professional services rendered by physicians in workmen's compensation cases

HOUSE BILL No. 1267.

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

HOUSE BILL No. 1271.

An Act authorizing the laying out opening construction and maintenance of a State highway route in the County of Juniata and making an appropriation

HOUSE BILL No. 1278.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

HOUSE BILL No. 1279.

An Act to repeal the act approved the tenth day of April one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County"

HOUSE BILL No. 1282.

An Act to further amend the title and section three of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as last amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings

SENATE BILL No. 57.

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register

SENATE BILL No. 183.

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties

SENATE BILL No. 197.

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations authorizing and directing said Authority to cancel its bonds discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania authorizing and directing the Department of Property and Supplies to transfer to any land grant college or the State Farm Products Show Commission any properties acquired by it from the General State Authority which are being used by such land grant college or such commission and making an appropriation

SENATE BILL No. 413.

An Act to amend section one of the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations.

SENATE BILL No. 437.

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation

SENATE BILL No. 438.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania

SENATE BILL No. 508.

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

SENATE BILL No. 523.

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

SENATE BILL No. 468.

An Act authorizing the alteration improvement and construction of buildings equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River and making an appropriation

SENATE BILL No. 524.

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 635) entitled "An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system prescribing its powers and duties and making an appropriation continuing such commission changing its purpose and making an appropriation

SENATE BILL No. 528.

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants

SENATE BILL No. 538.

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No. 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files

SENATE BILL No. 539.

An Act to amend Section nine of the Act approved the fifth day fo May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

SENATE BILL No. 565.

An Act to further amend subsection (f) of section three and the first paragraph of section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder

SENATE BILL No. 570.

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

SENATE BILL No. 649.

An Act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties

SENATE BILL No. 673.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the County of Blair or the City of Altoona or to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

SENATE BILL No. 679.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately three-tenths of an acre of land in the County of Delaware upon which is erected the Chester Range Front Light and ceding jurisdiction to the United States

SENATE BILL No. 687.

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing

the law relating thereto" by creating a conclusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years

SENATE BILL No. 695.

An Act to amend section twelve hundred nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times and the salvaging thereof

SENATE BILL No. 713.

An Act to amend sections three and five of Article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by making provisions for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors

SENATE BILL No. 734.

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporation

SENATE BILL No. 748.

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America or any federal agency and placing such lands under the control and supervision of the Department of Forests and Waters

SENATE BILL No. 757.

An Act to further reenact and amend the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one tenth to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities," extending the effective period thereof; substituting the Department of Public Instruction and the Governor for the State Council of Education; and placing additional duties and powers upon the trustees of State Teachers Colleges.

SENATE BILL No. 760.

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 244) entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended, entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases

SENATE BILL No. 761.

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled as amended "A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependants against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases

SENATE BILL No. 775.

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 536, 553 and 1081

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 536, Printer's No. 586, entitled "An Act to further amend section fifteen hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing that additional inspections of the eyes of pupils may be made by opthalmologists or optometrists and for their compensation."

EDWARD MARTIN.

May 5, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 553, Printer's No. 453, entitled "An Act to further amend section two hundred twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended 'An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws' changing the retaliatory provisions of law so as to equalize the burdens and prohibitions as herein defined placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth."

EDWARD MARTIN.

May 5, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1081, Printer's No. 433, entitled "An Act to amend clause twelve of section three of the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled 'An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws' providing for the inspection of mineral production the gathering and compilation of composite statistics for reports to the General Assembly by agencies administering production control plans and for the termination of such plans under certain circumstances."

EDWARD MARTIN.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. REYNOLDS and McNALLY.

RESOLUTION No. 66.

In the House of Representatives, May 5, 1945.

Many of the employes of the State penal and correctional institutions are obliged to work on holidays which is a hardship in many respects, yet the hardship is borne by such employes in good grace.

However, it has been the custom not to give these employes other days off which would in part compensate for the holidays they are required to work; therefore be it

Resolved, That the Secretary of the Department of Welfare shall hereafter provide that all employes of State penal and correctional institutions, required to work on holidays, shall within the week following such holiday, be given a day off in its stead, without diminution of salary or compensation, as these employes stand high in their loyalty and devotion to their tasks and duties; and be it further

Resolved, That the Chief Clerk of the House transmit a copy of this resolution to the Secretary of Welfare of this Commonwealth.

Referred to the Committee on Rules.

By Messrs. REIDENBACH, O'NEILL and MUNLEY.

RESOLUTION No. 67.

In the House of Representatives, May 5, 1945.

War—with its urgent and inexhaustible demands—has reached nearly everyone. First, the demand for men—for soldiers, sailors, marines, aviators and others—demands that were most imperative!

Then there were demands for women in auxiliary capacities, and finally the most persistent and evident demands for nurses—nurses and more nurses, until the remaining nurses not called into the services were insufficient to continue the safe operation of the hospitals at home. During this period, the hospitals made sincere appeals for volunteers to help in the hospital work. Volunteers were asked to help, if even only for an hour or so. This appeal was understood and many volunteered their services. There were business, professional and industrial workers who volunteered their services. They worked in hospital wards; nights, Saturdays and Sundays. There were many wives, mothers and relatives of members in the armed forces who served in the mornings and evenings during week-days and every free hour they could spare. There were some volunteer aides who worked full days through months on end; and in addition to giving their time without compensation, they also bought their own uniforms. They were the enthusiastic, willing, efficient, unselfish and patriotic women who devoted their spare time and efforts to relieve nurses to care for our wounded and sick veterans.

Among this group of loyal and devoted women were the resident volunteer nurse aides of the Scranton State, the Hahnemann, Moses Taylor, West Side, Mercy and St. Mary's Hospitals in Scranton and the Taylor Hospital at Taylor, the Midvalley at Oliphant and St. Joseph's Hospital at Carbondale.

However, all of this volunteer work could never have been done except for the inspiration and the indefatigable efforts of Mrs. Jas. A. Linen, Jr., who was Chairman of the Scranton Registered Nurses Aid Corps; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby pay tribute to the loyal devotion of all the members of the Registered Nurses Aid Corps; and be it further

Resolved, That the Chief Clerk of the House of Representatives send a copy of this resolution to each of the above named hospitals and to Mrs. Jas. A. Linen, Jr.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1.

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts, by changing the definitions of "establishment" and "industrial waste," by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

HOUSE BILL No. 68.

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State Parks and for the development thereof and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owner for payment by the Commonwealth of a share of the cost of preparing plans and estimates for the construction of plants for the treatment of industrial waste and for the payment by the Commonwealth of a share of the cost of constructing such plants for conducting experiments and research to determine approved methods for controlling stream pollution and treating acid mine drainage and industrial waste and for the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment

HOUSE BILL No. 138.

An Act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation

HOUSE BILL No. 148.

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

HOUSE BILL No. 255.

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

HOUSE BILL No. 273.

An Act to further amend the third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

HOUSE BILL No. 276.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Histrical Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical Commis- to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

HOUSE BILL No. 337.

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revision and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class

HOUSE BILL No. 374.

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones in certain cases

HOUSE BILL No. 376.

An Act to further amend section (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 322) entitled "An act to revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships" as last amended by establishing the interest

rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General and the Attorney General to compromise and settle claims for bonus interest and penalties thereon in certain cases

HOUSE BILL No. 478.

An Act to amend sections one and two to further amend section three of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344-No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and testify against each other in certain cases" authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried

HOUSE BILL No. 509.

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making husbands liable for payment of per capita taxes levied against their wives and authorizing collection thereof from such husbands

HOUSE BILL No. 633.

An Act to add section 1402.1 and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office

HOUSE BILL No. 660.

An Act to add section thirty-one point one and to repeal in part section thirty-two of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims in counties of the first class providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

HOUSE BILL No. 839.

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

HOUSE BILL No. 877.

An Act to further amend sections sixteen and seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales and further providing for the reimbursement to the county for moneys spent on such property in certain cases

HOUSE BILL No. 956.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

HOUSE BILL No. 986.

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

HOUSE BILL No. 1135.

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches

HOUSE BILL No. 1225.

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement development and maintenance of the plot of ground in the city of Erie Pennsylvania acquired for the location of the Flagship Niagara

HOUSE BILL No. 1280.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-five

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, with reference to the adjournment announcement the Senate has not acted upon the concurrent resolution, in fact it has not reached the Senate. Therefore we here in the House decided that we, rather than recess, would adjourn until Monday, so that the employees would be paid, and that you men who have stuck so faithfully and have stood by will be able to receive your mileage checks for next week.

I move, you, Mr. Speaker, that this House do now adjourn——

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWN. Before a motion to adjourn until Monday is put, would it not be better to rescind our action to adjourn sine die on Saturday at eleven thirty p. m.?

The SPEAKER. For the information of the gentleman from Allegheny, the sine die resolution has no effect until it has been acted upon by both Houses.

ADJOURNMENT

Mr. LICHTENWALTER. Mr. Speaker, I move that this House do now adjourn until Monday, May 7, 1945, at 10 a.m.

The motion was agreed to, and (at 7:10 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, May 7, 1945.

The Senate met at 10:00 o'clock, a. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain prayer was delivered by the Senator from Butler, Mr. CARR.

Our Father who art in Heaven, we bow before Thy Throne of Grace this morning, coming unto Thee and confessing that we have not done those things which always please Thee nor those things which are best for us. For this we ask Thy forgiveness and we ask that peace rest upon our nation this day, as under Thy guiding hand we have come to the time when some of our enemies have confessed their defeat. May it be, oh God, that Thou will show proof to them that their defeat was not because of the force of our arms but because of the injustice of their cause.

Guard and be with us in our deliberations this day; guide us to do those things which are acceptable unto Thee and for the good of our people. Help us, our Father, that we might at all times and in all places follow Thy guidance and Thy leadership and that from this time on we may stand in Thy sight as those who are trying to please Thee, oh God.

We ask this in the name of our Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. FARRELL, the further reading was dispensed with, and the Journal was approved.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Can the Chair tell me what day this is in the Senate.

The PRESIDENT. Senator Haluska, it is Monday, May 7, 1945.

Mr. HALUSKA. Mr. President, I was here on Saturday, May 5, and sat in my seat throughout the entire night. I was in my seat when a motion was made by the gentleman from Delaware that the Senate recess for ten minutes, the motion was adopted, and I was one of the few last men left here, and then the Clerk announced over the microphone that the session would recess until ten o'clock Monday morning. Now I come back and find out that we have adjourned and started a new day.

My point is, Mr. President, when did we adjourn, who made the motion, who seconded the motion, and until what hour did we adjourn?

The PRESIDENT. In answer to the question of the gentleman from Cambria, the Chair has consulted the records and the records show that Senator Heyburn moved, seconded by Senator Dent, that the Senate adjourn until Monday, May 7, 1945, at ten o'clock a. m.

Mr. HALUSKA. Mr. President, I must say I resent a great deal the way things are going on here. Although we are about to adjourn sine die, I have no intention of antagonizing anybody, but I hope that in future sessions we respect each other more than we have throughout the last few hours of this session.

I witnessed here Saturday night an important bill being passed, the unemployment compensation bill, at a time when most of my colleagues in the Senate were out, and the gentleman from Allegheny, Senator Walker, informed the reading clerk that it had been agreed that the vote should be 31 to 18, despite the fact that I was standing here hollering "no." That is an important bill, the unemployment compensation bill, and I am sure many of my colleagues had no desire of being recorded as voting "no", especially en bloc. Where the gentleman from Allegheny, Senator Walker, got his information I do not know, but how could one man notify the reading clerk that it was agreed to record this vote 31 to 18? I then spoke to my colleague from Allegheny, Senator McGinnis, and he said he had no agreement.

I am trying in every way I know how to vote right for the people back home. I have sat in my seat throughout the entire session, I have not missed an hour, and then if I should go home and then later be found recorded as voting against an important bill of this kind, it certainly is not fair. I want no one to pledge my vote and if there is any deal made I want to have knowledge of it. I must answer to my constituents. I do not live in a city where they have machine politics. The people back home elected me to come here and make a record, and that is what I am going to do; it may be good or bad but it is my

record, but if someone else votes for me it is not my record.

Coming back to this motion, I shall not argue but I sat here in the Senate until the wee hours Sunday morning, when a motion was made that the Senate recess for ten minutes. I heard the gentleman from Delaware say that, Mr. President, he stated it here, and he said we must recess because we were not ready to adjourn, and immediately after that, Mr. President, the Clerk made an announcement that we should recess until ten o'clock Monday morning. I went back to my locker, picked up my coat and hat and nonchalantly walked through the hall. I am informed that after I went away, after spending the entire night here, the gentleman from Westmoreland, Senator Dent, and the gentleman from Delaware, Senator Heyburn, re-convened the session and made a motion that the Senate should adjourn. I do not think that is fair; I do not think it is fair at all. We should be informed. You had no quorum here, I am sure. That is poor business, it is a poor way to run our Legislature. and I hope it will not happen again.

Mr. DENT. Mr. President, in order to explain to my colleague from Cambria that nothing was done that might have been an injustice to his people back home, let me explain that during the last days of any legislative session, in which I have had the pleasure of serving, many things have been done that are not done in an ordinary session. The Senate tried to get its work done. Some of us did not agree with the time fixed for adjournment but, however, when the die was cast that Saturday would be the last day, we tried to get our work completed.

We went over to the House early Sunday morning and met with the Leaders of the House. We tried to explain to the House that the proper thing to do was not to have another legislative day but that we should continue in recess, and we had agreed upon that, to the best of my knowledge, and we reported back to the Senate the agreement on the part of the House that there should be a ten minute recess; it was already the Sabbath day. We made a motion that the Senate recess, which was adopted, and as the men started to leave the Senate Chamber we received a message from the House that the House in partial revolt had forced the House to recede from that position and had adjourned until ten o'clock Monday morning. There was nothing else for the Senate to do, in fairness to the members. The gentleman from Delaware discussed the matter with me and we together discussed it with the members of the Senate who were present at the time.

I do not know how many members of the Senate were within the Halls of the Senate but I do know that other members were in the Senate chamber or in the rest rooms in the rear, they were around here somewhere, and we re-convened after the ten minute recess, which was perfectly legal and proper procedure, and adjourned until today. That is the whole story. There was nothing done underhandedly and there was nothing done which would hurt anybody; we only tried to expedite matters to the best of our ability.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 52

The Clerk of the House of Representatives being introduced, informed the Senate that the House had adopted the report of Committee of Conference on Senate Bill No. 52, entitled:

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 568

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 568, entitled:

An Act to add section 1209.1 to and to repeal subsections 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10 and 11 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts, county superintendents, assistant county superintendents, and district superintendents, and providing for reimbursement by the Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 690

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 690, entitled:

An Act to amend the title and subsection (a) of section three of the act, approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 854

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission, and fixing qualification and compensation of members.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 872

He also presented communication from the House of

Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, cooperative agricultural associations having capital stock, State and County officers, boards, and departments; and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 908

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the name of the Commissioner of Health to the Secretary of Health; further regulating the duties of medical inspectors and sanitary officers; and the employment of school nurses and dental hygienists; requiring school employes and pupils to undergo certain examinations; authorizing advisory health councils; and repealing certain acts.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 957

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 957, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing certain routes and adding certain new routes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1098

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1139

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1189

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law" defining further words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures.

RESOLUTION TO ADJOURN SINE DIE

He also presented extract from the Journal of the House, which was twice read as follows:

In the House of Representatives, May 7, 1945.

Resolved, (if the Senate concurs), That this Regular Session of the General Assembly adjourn sine die Monday, May 7, 1945, at 11:45 o'clock.

RULE 39 SUSPENDED

Mr. HEYBURN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. DENT. For the information of some of the members of the Senate who may not understand, this is the sine die resolution.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 884 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh, Pittsburgh, Pennsylvania; providing for the transfer of such institution to the Commonwealth; pro-

viding for the management and operation of closing and abandonment thereof, and maintenance of tuberculosis patients therein, including the collection of maintenance in certain cases; providing for the retransfer under certain circumstances; conferring powers and imposing duties on the Governor and Department of Health.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be laid on the table.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1002

He also informed the Senate that the House had adopted the report of Committee of Conference on House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other States; requiring cooperation with the Federal Government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation; and prescribing penalties.

The PRESIDENT. The Report of Committee of Conference will be laid on the table.

SENATE BILL No. 719 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," providing for the transfer to the Commonwealth of all grounds, lands, buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth, and for payment therefor by the Commonwealth to the political subdivisions; and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be laid on the table.

HOUSE RECEDES ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 692

He also informed the Senate that the House of Representatives has receded on its amendments non-concurred in by the Senate to Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 820) entitled, "An act regulating the practice of the profession of engineering in all of its branches, including surveying; providing for the registration of certain persons practicing or offering to practice said profession; conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County; and providing penalties"; by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

HOUSE CONCURS IN SENATE BILL No. 623

He also returned to the Senate, Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 762

He also returned to the Senate, Senate Bill No. 762, entitled:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen, six hundred nineteen and six hundred twenty of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by making provision for the erection, construction, maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings, wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of "establishment" and "industrial waste" by eliminating requirement of notice to discontinue discharges of industrial waste, by changing penalties for violations, by prohibiting the discharge of silt into any waters of the Commonwealth and the discharge of acid mine drainage into clean waters thereof, by authorizing the purchase or condemnation by the Sanitary Water Board and certain persons of easements or right of ways, and providing for the payment of a portion of the costs thereof by the Commonwealth in certain cases.

Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation.

House Bill No. 68, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and recreational areas and the development thereof, for reforestation for the work of the department with respect to forests and forest land, for stream channel improvement and other stream clearance of any type and for encouragement of proper forest practices by private land owners.

Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes.

House Bill No. 138, entitled:

An Act authorizing the establishment, construction and maintenance of limited access highways and local service highways, and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor, providing for sharing the costs involved, and for the control of traffic thereover, providing penalties and making an appropriation.

House Bill No. 148, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate, in compromise settlements thereof.

House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof.

House Bill No. 273, entited:

An Act to further amend the second paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," making counties in which deceased service persons are buried liable for the cost of headstones.

Senate Bill No. 319, entitled:

An Act to further amend section thirty-two of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, department and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class.

House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation or war records" making counties in which deceased service persons are buried liable for the cost of headstones

House Bill No. 376, entitled:

An Act to further amend section six (d), and to add a new section to the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (P. L. 322), entitled "An act to amend, revise, consolidate, and change the laws relating to bonus, and providing for the imposition, computation, and collection of bonus for State purposes on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships," as last amended, by establishing the interest rate on bonus due the Commonwealth at

six per centum per annum from the time when due until paid, and authorizing the Secretary of the Commonwealth, with the approval of the Auditor General and the Attorney General, to compromise and settle claims for bonus, interest and penalties thereon in certain cases.

Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149) entitled, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury, on the county commissioners and the Department of Highways, and changing the provisions as to reports to the Departments of the Auditor General and Revenue.

Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add sections twenty-one and one-tenth to the act approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

Senate Bill No. 473, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension.

House Bill No. 478, entitled:

An Act to amend sections one and two, and to further amend section three of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344—No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried, and to become surety on any bond, bail or recognizance.

House Bill No. 509, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," making husbands liable for payment of per capita taxes levied against their wives; and authorizing collection thereof from such husbands.

Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government; making exceptions in certain cases and imposing penalties.

Senate Bill No. 578, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen, and section nine hundred seventy-eight point one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special, and primary elections, the nomination of candidates, primary and election expenses and election contests creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating certain filing fees required by said act.

House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of money through no fault of his own.

Senate Bill No. 638, entitled:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus of two million dollars and for reserves as required by the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789).

Senate Bill No. 642, entitled:

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh and providing for the same as a postwar project

House Bill No. 660, entitled:

An Act to add section thirty-one point one, to repeal in part section thirty-two and to amend section thirty-three of the act approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," further regulating the sale of real property for the nonpayment of tax and municipal claims where a city of the first class is the claimant provided for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale and eliminating the right of redemption after such sales.

Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia, Commonwealth of Pennsylvania, to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by the United Nations and ceding jurisdiction to the United States.

House Bill No. 839, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by further regulating the affairs of boroughs and revising, amending and changing the law relating thereto.

House Bill No. 877, entitled:

An Act to further amend section sixteen and seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales, eliminating the right of redemption after such sales, and further providing for the reimbursement to the county for moneys spent on such property in certain cases.

House Bill No. 956, entitled:

An Act to further amend section two of the act, approved the first day of June one thousand nine hundred thirty-three (P. L. 1172), entitled "Borough Rural State Highway Law,'" by changing certain routes and adding certain new routes.

House Bill No. 957, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594) entitled "Rural State Highway Law," by changing certain routes and adding certain new routes.

House Bill No. 986, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

House Bill No. 1135, entitled:

An Act conferring upon counties of the second class, power to enter upon private property and open and maintain drainage channels along county roads or highways; and providing penalty for interference with such drains or ditches.

House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement, development and maintenance of the plot of ground in the city of Erie, Pennsylvania acquired for the location of the Flagship Niagara.

House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Department of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-five.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

SENATE BILL No. 719 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 719, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townshps, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," providing for the transfer to the Commonwealth of all grounds, lands, buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth, and for payment therefor by the Commonwealth to the political subdivisions; and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 5, line 15, by inserting after the word "Commonwealth" and before the light-faced bracket, the following: upon compliance with the provisions set forth in sub-section (b) of section 2 of this act; Amend Section 1, page 9, line 18, by inserting after the word "That" and before the word "the", the following: the transfer of title and; Amend Section 1, page 16, lines 27 and 28, by striking out after the word "purpose" on line

27, the following: If the county city ward borough township institution district or other, and inserting in lieu thereof the following: in accordance with the provisions set forth in sub-section (b) of section 2 of this act.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1002 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 1002.

SENATE ADOPTS THE REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1002

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on House Bill No. 1002, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1002

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1002, entitled: "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation, and prescribing penalties."

Respectfully submit the following bill as our report:

FREDERICK L. HOMSHER,
PAUL L. WAGNER,
JOSEPH M. BARR,
(Committee on the part of the Senate.)

HERBERT P. SORG,
IVAN C. WATKINS,
REUBEN E. COHEN,
(Committee on the part of the House of Representatives.)

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Vocational Rehabilitation Act of one thousand nine hundred forty-five"

Section 2 Definitions As used in this act

(1) "State board" means the members of the State Council of Education and the Secretary of Labor and Industry who shall constitute the State Board of Vocational Education and which Board is also designated as the State Board of Vocational Rehabilitation

(2) "Employment handicap" means a physical or mental condition which constitutes contributes to or if not corrected will probably result in an obstruction to professional or occupational performance

(3) "Disabled individual" means any person who has a substantial employment handicap

(4) "Vocational rehabilitation" and "vocational rehabilitation services" mean any services provided directly or through public or private instrumentalities found to be necessary to compensate a disabled individual for his employment handicap and to enable him to engage in a remunerative occupation or profession including but not limited to medical and vocational diagnosis vocational guidance counseling and placement rehabilitation training or instruction physical restoration transportation occupational licenses occupational tools equipment and supplies maintenance and training books supplies and materials

(5) "Rehabilitation training or instruction" means all necessary training or instruction provided to a disabled individual to compensate for his employment handicap including but not limited to manual pre-conditioning prevocational vocational and supplementary training or instruction and training or instruction provided for the purpose of achieving broader or more remunerative skills and capacities

(6) "Physical restoration" means any medical surgical or therapeutic treatment necessary to correct or substantially reduce a disabled individual's employment handicap within a reasonable length of time including but not limited to medical psychiatric dental and surgical treatment nursing services hospital and convalescent home care drugs medical and surgical supplies and prosthetic appliances but excluding curative treatment for acute or transitory conditions

(7) "Prosthetic appliance" means any artificial device necessary to support or take the place of a part of the body or to increase the acuity of a sense organ

(8) "Occupational licenses" means any license permit or other written authority required by any governmental unit to be obtained in order to engage in an occupation

(9) "Maintenance" means money payments necessary to meet living requirements during vocational rehabilitation

(10) "Occupational tools equipment and supplies" means such customary implements appliances apparatus fixtures and materials necessary in the particular case for the successful prosecution of the disabled individual's employment objective

(11) "Severely handcapped individual" means a disabled individual for whom it is found that because of the nature of his disabilities participation in competitive employment will not be practicable even after provision of vocational rehabilitation services

(12) "Regulations" means regulations made by the State board

Section 3 Regulations In carrying out its duties under this act the State board subject to the approval of the

Executive Board of the Commonwealth when required by law shall make regulations governing personnel standards the protection of records and confidential information the manner and form of filing applications eligibility and investigation and determination thereof for vocational rehabilitation services procedures for fair hearings and such other regulations as it finds necessary to carry out the purposes of this act

Section 4 Administration Except as otherwise provided by State law with respect to vocational rehabilitation of the blind the State board shall provide vocational rehabilitation services to disabled individuals determined to be eligible therefor and in carrying out the purposes of this act the State board is authorized among other things

(1) To cooperate with other departments agencies and institutions both public and private in providing for the vocational rehabilitation of disabled individuals in studying the problems involved therein and in establishing developing and providing in conformity with the purposes of this act such programs facilities and services as may be necessary or desirable

(2) To enter into reciprocal agreements with other states to provide for the vocational rehabilitation of residents of the states concerned

(3) To conduct research and compile statistics relating to the vocational rehabilitation of disabled individuals

(4) To administer the expenditure of funds made available by the government of the United States for vocational rehabilitation

(5) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(6) To administer the laws of the Commonwealth providing for vocational rehabilitation

The Secretary of Labor and Industry shall be chief executive officer for vocational rehabilitation of the State Board of Vocational Education Moneys received from the Federal Government and moneys contributed by the Commonwealth of Pennsylvania shall be paid into a special fund in the State Treasury to be called the "Vocational Rehabilitation Fund" subject to requisition by the State Board through its executive officer

All persons employed by the Department of Labor and Industry and the Department of Public Instruction in administering the laws relating to vocational rehabilitation on the effective date of this act are hereby transferred to and shall become employes of the State Board of Vocational Rehabilitation in the Department of Labor and Industry and shall be assigned to the Board of Vocational Rehabilitation to continue the administration of said laws

The Bureau of Rehabilitation in the Department of Labor and Industry shall be administered supervised and controlled by the State Board and all persons employed by the Department of Labor and Industry and the Department of Public Instruction in administering the laws relating to vocational rehabilitation on the effective date of this act shall become and are employes of the State Board The status of every such person under any law or regulation providing for civil service shall not be affected by such transfer

All files records and equipment of the Department of Labor and Industry and Department of Public Instruction pertaining to the administration of the laws relating to vocational rehabilitation shall become the property of the State Board of Vocational Education designated as the State Board of Vocational Rehabilitation

Section 5 Cooperation with Federal Government The State board shall cooperate pursuant to agreements with the Federal government in carrying out the purposes of any Federal statutes pertaining to vocational rehabilitation and is authorized to adopt such methods of administration as are found by the Federal government to be necessary for the proper and efficient operation of such agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such Federal statutes

Section 6 Receipt and Disbursement of Vocational Rehabilitation Funds The State Treasurer is hereby designated as the custodian of all funds received from the Federal government for the purpose of carrying out any Federal statutes pertaining to vocational rehabilitation The State Treasurer shall make disbursements from such funds and from all State funds available for vocational rehabilitation purposes in accordance with law

Section 7 Eligibility for Vocational Rehabilitation Vocational rehabilitation services shall be provided to any disabled individual (1) who is a resident of the State at the time of filing his application therefor and whose vocational rehabilitation the State board determines after full investigation can be satisfactorily achieved or (2) who is eligible therefor under the terms of a reciprocal agreement with another state or with the Federal government Provided That except as otherwise provided by law or as specified in any agreement with the Federal government with respect to classes of individuals certified to the State board thereunder the following rehabilitation services shall be provided at public cost only to disabled individuals found to require financial assistance with respect thereto

(1) Physical restoration

(2) Transportation not provided to determine the eligibility of the individual for vocational rehabilitation services and the nature and extent of the services necessary

(3) Occupational licenses

(4) Occupational tools equipment and supplies

(5) Maintenance

Section 8 Maintenance not Assignable No right of a disabled individual under this act shall be transferable or assignable at law or in equity

Section 9 Hearings Any individual applying for or receiving vocational rehabilitation who is aggrieved by any action or inaction of any officer or agent of the State board shall be entitled in accordance with regulations to a fair hearing by the State board

Section 10 Misuse of Vocational Rehabilitation Lists and Records It shall be unlawful except for purposes directly connected with the administration of the vocational rehabilitation program and in accordance with regulations for any person or persons to solicit disclose receive or make use of or authorize knowingly permit participate in or acquiesce in the use of any list of or names of or any information concerning persons applying for or receiving vocational rehabilitation directly or indirectly derived from the records papers files or communications of the State or subdivisions or agencies thereof or acquired in the course of the performance of official duties Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 11 Limitation on Political Activity No officer or employe engaged in the administration of the vocational rehabilitation program shall use his official authority or influence or permit the use of the vocational rehabilitation program for the purpose of interfering with an election or affecting the results thereof or for any partisan political purpose No such officer or employe shall take any active part in the management of political campaigns or participate in any political activity except that he shall retain the right to vote as he may please and to express his opinions as a citizen on all subjects No such officer or employe shall solicit or receive nor shall any such officer or employe be obliged to contribute or render any service assistance subscription assessment or contribution for any political purpose Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 12 Repeals The act approved the eighteenth day of July one thousand nine hundred nineteen (P. L. 1045) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers

and employes and furnishing suitable accommodations and making an appropriation" and the act approved the second day of March one thousand nine hundred twenty-one (P. L. 12) entitled "An act relating to vocational rehabilitation accepting the provisions and benefits of the act of Congress approved the second day of June one thousand nine hundred and twenty entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment' providing for the rehabilitation of disabled persons and their return to civil employment and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" are hereby repealed

Section 13 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 14 Effective Date The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-five

On the question,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Daly,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 884, RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE.

Mr. HEYBURN. Mr. President, I call from the table House Bill No. 884, recalled from the Governor, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh, Pittsburgh, Pennsylvania; providing for the transfer of such institution to the Commonwealth; providing for the management and operation of closing and abandonment thereof, and maintenance of tuberculosis patients therein, including the collection of maintenance in certain cases; providing for the retransfer under certain circumstances; conferring powers and imposing duties on the Governor and Department of Health.

The Clerk read the amendments as follows:

Amend the title, page 1, line 9 of the title, by inserting after the word "Health", the following: and making an appropriation; Amend page 5, by inserting after line 27, the following: Section 8 The sum of eight hundred thousand dollars ($800,000) is hereby appropriated to the Department of Health for the two fiscal years beginning the first day of June one thousand nine hundred forty-five for the purpose of general maintenance of said hospital and for the care and maintenance of patients thereof entitled to free service; Amend Section 8, page 6, line 1, by striking out after the word "Section" and before the word "All", the figure "8", and inserting in lieu thereof the figure "9".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Daly,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 106 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table, the Report of the Committee of Conference on Senate Bill No 106.

SENATE DEFEATS THE REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 106

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on Senate Bill No. 106, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 106

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 106, entitled: "An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' increasing the resident fishing license fee and limiting the use of the money derived from such increase,"

Respectfully submit the following bill as our report:

O. J. TALLMAN,
FRANK W. RUTH,
MONTGOMERY F. CROWE,
(Committee on the part of the Senate.)

IRVING S. DIX,
ANTHONY J. PETROSKY,
(Committee on the part of the House of Representatives.)

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of the money derived from such increase

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 314) is hereby further amended to read as follows

Section 220 Resident Fishing License Fee For the purpose of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letter lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of [one dollar and fifty cents ($1.50)] two dollars ($2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operations of eel chutes and the payment of a fee of one dollar ($1.00) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

Section 2 Section two hundred eighty-five of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-seven (P. L. 494) and as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 285 Fish License Fund Established All fees fines penalties and other moneys pair received recovered and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart from the various purposes designated by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be paced in a separate fund by the State Treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue is procuring issuing or supervising the issuance of resident and non-resident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and such special deputy attorneys general assistants deputy attorneys general as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the Board of Fish Commissioners

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the Capitol Buildings or any other ground buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the cruiser "Anna" at Torresdale on the Delaware River [and]

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be

under the supervision direction and control of the board [and]

(1) The purchase and acquisition of additional land and water for State fish hatcheries the purchase acquisition and erection of buildings ponds and other extension incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth

(m) For the refund to county treasurers of fishing license fees heretofore or hereafter erroneously paid into the Fish Fund and

(n) The sum of fifty cents (50c) from each resident fishing license fee being the increase in fees provided by this amendment shall be used exclusively for I the acquisition in the name of the Commonwealth by purchase of land and trout waters or warm water ponds or lands which because of their natural conditions can be converted into ponds dams or reservoirs anywhere in the Commonwealth or in any part thereof with such rights of ingress or egress to or from such waters as may be necessary to make the same available for use by the citizens of the Commonwealth for fishing and the maintenance thereof II the rebuilding of torn out dams and III the study of problems related to better fishing All moneys received under the provisions of this clause and all expenditures made from such moneys shall be shown in detail by the board in every annual report or annual statement rendered by it

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purposes hereinbefore enumerated All printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes for which such requisition was made at the time of making such requisition

Section 3 This act shall become effective on the first day of January one thousand nine hundred forty-six

On the question,

Will the Senate adopt the Report of Committee of Conference?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—9

Becker,	Farrell,	Letzler,	Taylor,
Blass,	Heyburn,	Tallman,	Wade,
Coleman,			

NAYS—23

Barr,	Dent,	James,	Stevenson,
Berger,	Geltz,	Kephart,	Troutman,
Bowers,	Gourley,	Mallery,	Wagner,
Carr,	Haluska,	McCreesh,	Walker,
Cox,	Holland,	McGinnis,	Wilson,
Crider,	Homsher,	Snowden.	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 127

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 127, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 156

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 156, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other utility facilities.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 163

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 163, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 280

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 280, entitled:

An Act requiring county commissioners to report transfers of property to the commisisoners of townships of the first class.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 411

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 411, entitled:

An Act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto.

COLONEL JOHN S. RICE PRESENTED TO SENATE

The PRESIDENT. At this time the Chair would like to present to the Senate a former Floor Leader, a gentleman who has been in charge of the Air Transport Command for over a year and who has just returned to this country. Colonel John S. Rice.

COLONEL RICE. Mr. President and gentlemen, it is a pleasure to be here again. I recognize many of my old friends in the Senate, on both sides.

It is just three years ago today that I went on active duty with the Air Corps. This is the first time I have been in Harrisburg since then. I was passing through today on my way back to my station, which is Manchester, New Hampshire, and I took this opportunity of coming up and greeting my old friends again. I have covered a lot of territory in the past several years but none of it has looked as good as Pennsylvania. Thank you.

COMMITTEE TO NOTIFY THE HOUSE THAT THE SENATE IS READY TO ADJOURN SINE DIE

Mr. HEYBURN offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 7, 1945.

Resolved, That a committee of three Senators be appointed to notify the House of Representatives that the Senate is now ready to adjourn sine die.

COMMITTEE TO NOTIFY GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE

Mr. HEYBURN offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 7, 1945.

Resolved, That a committee of three members of the Senate be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is now ready to adjourn sine die, and inquire if he has any further communications to make.

RESOLUTION

RESOLUTION URGING THAT THIRD MEMBER OF LIQUOR BOARD BE APPOINTED FROM MINORITY PARTY

Messrs. DENT and McGINNIS offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, May 7, 1945.

Whereas, The Pennsylvania Liquor Control Board was created by the Legislature with an original and continuing membership of three members, and

Whereas, The management of the Pennsylvania Liquor Control system in Pennsylvania has been the subject of much private and public criticism, and

Whereas, The main cause of the criticism can be traced directly to the negligence and disobedience on the part of ex-Governor James in failing to appoint the third member to the Commission, and due to the continuation of this policy on the part of the present administration, and

Whereas, It requires two members to constitute a quorum, and by the failure to appoint a third member causes in effect a bad administrative situation in that all orders must be unanimous, therefore a minority position cannot be formulated, therefore, be it

Resolved, That the Governor of the Commonwealth be respectfully petitioned by the Senate of Pennsylvania to forthwith name a third member to the Liquor Control Board, and in so doing follow precedent by naming a member of the minority party.

RULE 39 SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. McGINNIS. Mr. President, as well as every other member of this Senate, I realize that it was the purpose of this administration, and of all of us, to make this session a short session on account of the war. For that reason I think there are many subjects that should have been brought up at this session that were not brought up.

One of the subjects that I think we ought to consider between now and the next session is the liquor situation, or the handling of liquor, by the Liquor Control Board in this state.

I was a delegate to Chicago in 1932 when we nominated Franklin D. Roosevelt. I well remember that the Harding, Coolidge and Hoover administrations straddled the liquor question, they leaned over backwards to the drys, but when we nominated Roosevelt he flew to Chicago the next morning and addressed the delegates and he had not spoken more than five minutes when he said "from this day on prohibition is doomed in the United States", and we had our beer back in six weeks after he first went in office and we had our liquor back the same year.

In this state, during the James administration, the first thing Governor James did was to take liquor out of the windows of the Liquor Stores, which was a bow or a leaning backwards to the drys. I think the drys should be treated fairly, but this bill was passed by a majority, the bill was passed legally, and the wets, if you want to call them that, have a right to have the law administered in a proper way.

The James and the Martin administrations, I do not think they have ever had the membership of the Liquor Control Board filled at one time; the board has consisted of only two members, which is an amazing thing. I can not see the purpose of it. It does not make a good board.

At the present time the liquor situation in Pennsylvania is not handled nearly as good as it is in Ohio, New York, New Jersey, Maryland, Washington or even Ohio, which has a liquor control board. They have better liquor on the shelves, they have better liquor in public places than they have in this state, and I feel that perhaps there is something wrong with the act.

I have heard one reason that we do not have as much and as good liquor in Pennsylvania as they do in other states is that the distillers can get their money quicker from the other states than they can from Pennsylvania; in other words, that the red tape in getting vouchers through and paid is so slow in this state that the distillers do not like to sell to the state of Pennsylvania because they can sell to other states and get their money quicker.

I hope between now and the next session our Governor will fill the vacancy existing on the Liquor Control Board. I know the present members of the Liquor Control Board and I am sure they are honest and sincere and that they are trying to do a good job, but there ought to be another member on that board. Although it is not required that there be a minority member of the board, I do think that is the proper thing to do, to have a minority member appointed on that board by our Governor.

I hope every member here will make a study and look into this liquor situation. I know this, that the state of Pennsylvania is losing millions of dollars in cases where men go into other states and haul liquor back into Pennsylvania without paying the state tax. The state of Pennsylvania ought to get the benefit of that tax instead of paying indirectly to other states the tax that should come to Pennsylvania.

If the Liquor Board is not acting properly or if the Act needs to be amended, that should be done.

Mr. HEYBURN. Before making a motion, Mr. President, I should like to say just a few words in answer to the criticism of my good friend from Allegheny, Senator McGinnis.

As I listened to his speech he appeared to have two complaints against the board, first the quantity of liquor in the stores and, second, he complained that the board was so slow in paying their bills, that is the reason we do not have what he said is a sufficient supply of liquor in the state stores.

I have some figures here, Mr. President, which I shall offer in evidence, which will prove the gentleman from Allegheny, Senator McGinnis, is wrong on both counts. Here are the figures, Mr. President, and they can not be disputed:

In 1939 in the liquor stores in Pennsylvania there were sold 61,947,206 bottles—for the purposes of brevity I will use just round figures. In 1940 there were sold 66,000,000 bottles of liquor. Bear in mind, Mr. President, that was at a time when there was plenty of liquor and it could be bought any place in quantity, and that year the Pennsylvania liquor stores sold 66,000,000 bottles of liquor.

Then with war prosperity sales increased, until the abnormally high year of 1942, when there were 87,000,000 bottles of liquor sold. That was when everybody had lots of money, and purchases were high.

Here is further evidence, Mr. President, that shows Senator McGinnis is wrong. In 1944 there were sold 67,300,000 bottles. Remember that in 1939, when liquor could be bought by the carload and they were trying to sell it in any quantity, we sold 61,000,000 bottles and yet in 1944 we sold 67,000,000. During the period when the gentleman from Allegheny, Senator McGinnis, said no liquor was available in Pennsylvania, we sold six million more than we did in 1939.

I do not know that I need to offer any evidence aside from that, Mr. President, except that the gentleman from Allegheny, Senator McGinnis said that the board was slow in making payments. Here are some figures on the charge of laxity in that respect under the administrations of Governor James and Governor Martin.

Since Governor James took office, Mr. President, the Liquor Control Board has purchased $529,000,000 worth of liquor and they earned in discounts $6,359,510.54 and, Mr. President, you do not earn discounts unless you pay your bills on time—anybody knows that.

During all that period, with $529,000,000 worth of merchandise purchased, the Liquor Control Board only lost in discounts $25,000—think of it, $25,000 in discounts lost because of some dispute over the quantity of merchandise or the quality, in which event the discount period passed. They only lost $25,000, excepting $114,000 in commissions that were lost in 1941 because the Minority Party in the House, which was in control of the House at that time, held up the tax anticipation notes; there was a period of time there, Mr. President, when tax anticipation notes could not be sold and discounts could not be taken.

That is the whole story, Mr. President. These figures I have given to the Senate can not be disputed.

RESOLUTION LAID ON TABLE

Mr. HEYBURN. Mr. President, I have not had opportunity to read the resolution, and neither have the other members of the Senate, and therefore I move that the resolution be laid on the table.

Mr. KEPHART. I second the motion, Mr. President.

On the question.

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I think the Majority Leader has not grasped the full contents of the resolution. The resolution only aims at the present situation, one that has been in existence since the James Administration, and that is that the board, legally created by the General Assembly to have a continuing membership of three members, has operated with only two members.

In the resolution, if the gentleman from Delaware will read it, we make no criticism and no direct charges other than the fact that under the present system two members constitute a quorum and every rule, every regulation and every order must of necessity be by unanimous decision. This present set-up does not allow for a minority position on the part of any member of the board. If you had a proper membership you would have had a minority position on some of the orders that have been issued. Some of the orders we belive ought to have the Minority Party's position represented, because you have a minority position on every question dealing with liquor, which is one of the most controversial of all state businesses.

I am going to get into a quarrel with the figures the gentleman from Delaware has discussed, but I may say he claims there was $6,000,000 earned on business amounting to $529,000,000. We all know that is only about 54 per cent of the discount which could have been earned in that same period. The gentleman from Delaware said they only lost $25,000. If I may digress for a moment I would like to repeat a story told in the House this past week dealing with this same subject. A $25,000 loss may be insignificant in relationship to the total business that has been done, but it seems there is a story going around abount a man that was taken into Court for being the father of an illegitimate child and in his plea to the judge he said "Judge, you ought to forgive this sin because the baby is only a small one." There seems to be a difference of opinion about this claim that $25,000 is only a small insignificant amount to lose. You can not and should not lose one cent in this business. There can not be any possibility of loss where you have a business which operates a monopoly.

I am not going into any criticism of the membership of the board because I have none. I am very well acquainted with both members and I have absolutely no reason to say they are not performing their duties to the best of their ability.

When the Liquor Control Board was set up the Act provided that the board should consist of three members. Precedent has established that one member of such a board should be a member of the Minority Party, and we believe that the third member should be appointed to the board and that he should be a member of the Democratic Party. If we were to continue your practice, when we get control of the state, we could kick out the two Republican members of the board and appoint only members of the Democratic Party, but we believe the minority should be represented for the good of the Commonwealth. The only reason Governor James never added another member, and I believe the only reason Governor Martin has not added another member, is because they lacked the courage to name a Democratic member to the Liquor Control Board.

It does not mean anything to us whether you do or not, but it does mean that you are operating a bureau of the state government here without the legal requirements being lived up to.

You may say that a member might be absent from the board for five or six months or even a year, but how could you say in six years you have not found one member of the Democratic Party, with all its millions of registered Democrats, you have not been able to find one member suitable to serve upon this important governmental board.

We do not ask you to pass this resolution other than as a gentle reminder, a little prod, if you will, to the administration that something is wrong, they are not doing the right thing, the intent of the Legislature is being thwarted, they are not obeying the dictates of the Legislature as set up in a law upon the statute books, and we want them to live up to it. That is all we ask. We ask, if you can not see your way clear to nominate a Democrat, then nominate another good Republican, but above and beyond everything, you have not nominated a third member to this board, and that is all we ask.

And the question recurring
Will the Senate agree to the motion?
It was agreed to.

SENATE BILL No. 560 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 560, on concurrence in House amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,
The Senate resumed the consideration of Senate Bill No. 560, entitled:

An Act to amend sections two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commimssion and a Personnel Director certain powers and duties; providing for classification of positisions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repeal certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1 of the title, by inserting after the word "sections" and before the word "two", the word "three;" Amend the title, page 1, line 3 of the title, by inserting after the word "six" and before the word "and", the following: "five hundred seven six hundred one six hundred two eight hundred two"; Amend Section 1, page 2, line 1, by inserting after the word "Sections" and before the word "two," the word "three"; Amend Section 1, page 2, line 3, by inserting after the word "six" and before the word "and", the following: "five hundred seven six hundred one six hundred two eight hundred two;" Amend Section 1, page 2, by inserting between lines 17 and 18, the following: "Section 3 (d) (6) [Such attorneys as the Attorney General shall appoint and the Governor shall approve] Such attorneys as the appointing authority shall appoint and the attorney general shall approve"; Amend Section 1, page 5, line 18, by inserting after the word "services" and before the word "the," the following: "the requiring of health examinations at the discretion of appointing authorities as a condition of initial or continued employment"; Amend Section 1, page 6, lines 28 and 29, by striking out after the word "promotions" on line 28, the following: "in the offices designated as central administrative offices (which shall include all;" Amend Section 1, page 7, line 1, by striking out before the word "shall", the following: "those having jurisdiction throughout the State;" Amend Section 1, page 7, lines 4 to 12, inclusive, by striking out after the word "application" on line 4, and before the word "The" on line 12, the following: "and persons applying for positions or pro-

motions in offices designated as district offices (which shall include all those whose jurisdiction is limited to a particular district) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application"; Amend Section 1, page 7, lines 14 to 24, inclusive, by striking out after the word "lists" on line 14, and before the word "Limitations" on line 24, the following: "when necessary Provided That after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district who has passed the examination the director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of position of administrative districts which are continguous or nearly to the administrative district which are continguous or nearby to the administrative district in which there is no person on the appropriate eligible list;" and inserting in lieu thereof the following: "Any person who has passed the examination may be placed on the employment list for offices designated as district offices if such person indicates his desire for employment in such office The appointing authority for that office may at its discretion refuse to consider such a person for appointment if he does not have legal residence in that district and may request that the director certify only persons having legal residence in that district provided however that the option of refusing consideration to persons not having legal residence in the district is automaticaly voided at any time that the employment list does not contain the names of persons having legal residence in the district;" Amend Section 1, page 8, line 5, by striking out before the word "in", the following: "served not less than six months, and inserting in lieu thereof the following: "completed their probationary period;" Amend Section 1, page 8, line 10, by striking out after the word "has" and before the word "the" the following: "attained on," and inserting in lieu thereof the following: "completed his probationary period in"; Amend Section 1, page 8, lines 11 and 12, by striking out after the word "position" on line 11, the following: "six months of service has a service rating in the top 50% of the persons working in that classification;" Amend Section 1, page 10, by inserting between lines 8 and 9, the following: "Section 507 Duration of Employment and Promotion Lists [Employment and promotion lists shall continue in force for at least two years from the date of their establishment and thereafter until exhausted or replaced by more recently prepared lists] Appointing authorities shall utilize employment and promotion lists from the date of their establishment until exhausted or replaced by more recently prepared lists provided that when an appointing authority deems it to be in the best interests of the Commonwealth the Commission shall cancel such lists if two years or more have elapsed since a competitive examination was held The director with the approval of the commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action Any persons whose announced rating or position on the list is changed by correcting any clerical errors shall be notified The commission shall have the power at any time after giving notice as required in this act and after a public hearing to cancel the whole or any part of any employment or promotion list on account of illegality or fraud in connection therewith;" "Section 601 Certification Whenever a vacancy is likely to occur or is to be filled in a permanent position in the classified service the appointing authority shall submit to the director a statement indicating the position to be filled [The] Unless the appointing authority elects to follow one of the alternative provisions of section 501 the director shall thereupon certify to the appointing authority the names of the three eligibles willing to accept appointment who are highest on the appropriate promotion list or employment list whichever is in existence or from the one which under the rules of the commission has priority If the appropriate list contains less than three eligibles who are willing to accept appointment the names certified may be taken from the other appropriate list to make a certification of at least three eligibles If there are less than three eligibles on appropriate eligible lists who are willing to accept appointment the director shall certify all the names on these lists If there is no appropriate eligible list the director may certify from such other list or lists as he deems the next most nearly appropriate If upon inquiry by the director any person on any promotion or employment list is found to be not available for promotion or appointment his name shall not for the time being be considered among the names from which a promotion or appointment is to be made

Section 602 Selections and Appointment of Eligibles Unless it is found to be in the interest of the service of the Commonwealth not to fill a vacant position the appointing authority within thirty days shall appoint the person whose name is or one of the persons whose names are certified by the director If the vacant position is to be filled from among the names of employes on the appropriate promotion list which have been submitted to the appointing authority he shall select a person provided he is among the three highest ranking persons on such list or that his final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list In making the second promotion in the same class of position the appointing authority in like manner shall select a person from among the three highest ranking persons remaining on such list or he shall select a person whose final mark or grade is not more than one point below the mark or grade of the highest ranking person remaining on such list The third and any additional promotions in the same class of position shall be made in like manner If the vacant position is to be filled from among the names of persons certified from the employment list by the director to the appointing authority he shall select a person from among the three highest ranking persons for the class of position to be filled For the second vacancy in the same class of position the appointing authority shall make selection from among the three highest ranking persons remaining on such list who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filled in like manner After

a name has been rejected three times by an appointing authority in favor of others on the same eligible list such name shall not again be certified to that appointing authority except upon written request from the appointing authority Appointing authorities shall promptly report to the director the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the director and if it be found that the refusal has been made for improper or insufficient reasons the director shall after giving ten days' notice to such person remove his name from the list;" "Section 802 Furlough In case a reduction in force is necessary in the classified service [the order of the furlough shall be in conformity with the established rules of the commission which shall give major weight to seniority and due weight to service ratings and other relevant factors] no employe shall be furloughed while any probationary or provisional employe is employed in the same classification and no probationary employe shall be furloughed while a provisional employe is employed in the same classification An employe shall be furloughed only if at the time he is furloughed he is within the lowest quarter among all employes of the employer in the same classification on the basis of their service ratings and within this quarter he shall be furloughed in the order of seniority;" "A furloughed employe shall have the right of return to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency provided that in both instances there is a vacancy with the same appointing authority The appointing authority shall promptly report to the director the names of employes furloughed together with the date the furlough of each is effective and the character of his services Under the rules a permanent employe furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employe such preference shall not be effective if it necessitates furloughing such other employe;" "Amend Section 1, page 12, by inserting between lines 20 and 21, the following: Section 807.1 Leave of Absence An employe who has been granted a leave of absence at the discretion of an appointing authority shall upon expiration of the leave of absence have the right of return to the classification and civil service status from which leave was granted or to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency provided that in all three instances there is a vacancy with the same appointing authority If there is no vacancy to which the employe on leave can be returned he shall retain priority of return to the classification from which the leave of absence was granted for a period of one year following the date of expiration of the leave and during this time shall have precedence for employment over employes furloughed from the same classification Section 807.2 Seniority Seniority is established for each classification in which an employe holds or has held civil service status Seniority in each classification begins with the date of first civil service employment in that classification and includes periods of subsequent employment (civil service or provisional) in other classifications in the same or higher grade."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, in cooperation with the gentleman from Delaware I ask that the Senate do now recess for a period of fifteen minutes in order to allow the members of the Senate to go over to the House of Representatives to attend the ceremonies in connection with the inducting into office of our newly elected Democratic State Treasurer, Ramsey Black, and I assure you I voted for him.

RECESS

Mr. DENT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 127, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes.

House Bill No. 156, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other utility facilities.

House Bill No. 163, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

House Bill No. 280, entitled:

An Act requiring county commissioners to report transfers of property to the commissioners of townships of the first class.

Senate Bill No. 344, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, increasing the maximum amount of State debt to supply deficiencies in revenue.

PROVIDING MAXIMUM STATE DEBT TO SUPPLY DEFICIENCY.

House Bill No. 411, entitled:

An Act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto.

Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied.

Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers, directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license, excise, privilege, premium, occupation or other fee or tax imposed by any State or political subdivision thereof.

Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including but not limited to livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof.

Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws.

Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 820) entitled, "An act regulating the practice of the profession of engineering in all of its branches, including surveying; providing for the registration of certain persons practicing or offering to practice said profession; conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County; and providing penalties"; by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

Senate Bill No. 702, entitled:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name, style, or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring nonresident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applicants; requiring the cancellation of such application on the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

Senate Bill No. 769, entitled:

An Act to amend sections three, four and five, and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the sixth day of May, one thousand nine hundred forty-two (P. L. 101) entitled, "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, 'An act establishing a public school employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service," by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service; and removing the requirement for a physical examination in certain cases.

Senate Bill No. 771, entitled:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged, and in certain cases for the widows and wives of such persons.

Senate Bill No. 776, entitled:

An Act to further amend section five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages.

Senate Bill No. 784, entitled:

An Act to further amend Section 320 of an Act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as last amended by Section 4 of the Act approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 365).

House Bill No. 1082, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," 'by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE RECEDES ON ITS AMENDMENTS NON-CURRED IN BY THE SENATE TO SENATE BILL No. 561

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has receded on its amendments non-concurred in by the Senate to Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such,'" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 658

He also informed the Senate that the House had adopted the Report of Committee of Conference on Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for ap-

pointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 7, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Earle B. Lafean, Pittsburgh, 4411 Schenley Terrace (13).
Frank J. Loebig, Mount Oliver.
Miss Anna Schranner, Millvale.

BUTLER COUNTY

LaVerne Brown, Mars.

DAUPHIN COUNTY

Miss Blanche M. Reese, Harrisburg.

LAWRENCE COUNTY

Miss Ethel M. Dimond, New Castle.

MONTGOMERY COUNTY

Lester S. Heebner, Norristown.

PHILADELPHIA COUNTY

Mrs. Minnie T. Leon, Phila., 6041 Drexel Rd.
William E. Trickle, Phila., Spring Garden Bldg., S. E. Cor. Broad and Spring Garden Sts. (23).

WASHINGTON COUNTY

Arthur S. Rutan, Charleroi.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

YEAS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RESOLUTION

SUGGESTING COOPERATION OF POST-WAR PLANNING COMMISSION IN ANTHRACITE SUBSIDENCE PROBLEMS

Mr. COLEMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. COLEMAN, COX and STEVENSON, offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, May 7, 1945.

Whereas, A committee named by the General Assembly, after a thorough study of the Subsidence problem in the Anthracite area, made recommendations in the form of legislation which was introduced in the session of 1943 and failed of passage, and

Whereas, The same legislation was re-introduced by Senators Coleman, Cox and Stevenson in the session of 1945 and failed of passage, and

Whereas, This important question is one that can only be dealt with by a cooperative effort between the Federal Government and the Commonwealth, and

Whereas, This situation has caused untold anxiety to thousands of people living in the affected areas who look to their Government for redress, therefore be it

Resolved, That the Post War Planning Commission is hereby requested to set up the necessary agency within its jurisdiction to negotiate with the Federal Government and to formulate and create plans out of post war funds to be used for the elimination of this dangerous situation.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN asked and obtained unanimous consent to address the Senate.

Mr. COLEMAN. Mr. President and members of the Senate, two nights ago I paid a very glowing and sincere tribute to the Minority Floor Leader for his rapid mental processes, his agile brain, his usual alertness, but this morning he let me down. In announcing the swearing in, as he thought, of the new State Treasurer he hesitated long enough in mentioning his name so that I felt a bit embarrassed. I thought that one of my Republican Colleagues would say "how did the gentleman vote." The gentleman from Westmoreland asked us to journey to the House, and when we got over to the House we learned that the swearing in ceremony was to be performed in the Finance Building. The fact that the genial Senator from Westmoreland has recently expended so much energy may have something to do with the difference in him. I believe, although our new State Treasurer's name is Black, that our good friend Senator Dent is still in the dark.

Mr. TAYLOR. I should like to straighten out the gentleman from Lackawanna, Senator Coleman. The gentleman from Westmoreland, Senator Dent, votes just like I do—he votes the straight ticket, and after the top name he does not notice any of the names.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. The day before yesterday, Mr. Presi-

dent, we witnessed a number of men rising in place and speaking kindly of the President pro tempore, the Majority Floor Leader, yours, and our Minority Floor Leader, and I think it might be fitting at this time for someone from this side of the Senate to say a few words on behalf of the employes of the Senate.

I want to say, Mr. President, throughout my tenure here I have never been treated any better by the employes, especially on the part of our Librarian. When I am back home frequently I find it necessary to keep in touch with Harrisburg to try to serve my constitutency and I have never yet requested anything of him that he did not write in answer within two or three days, so that the Librarian of this Senate has done a wonderful job, and I am sure he has shown me no special favors and that the same treatment must be accorded to others. We on this side of the Senate certainly are grateful for the services he has rendered.

That also goes for the boys back in our clubroom, our barber, the page boys. They have gone out of their way, I am sure, to be kind to those of us on this side of the Senate, and so I want to thank all the employes who work in and around the Senate for the fine services they have rendered.

PRESIDENT AND MEMBERS OF SENATE PROCEED TO HOUSE TO HEAR GOVERNOR'S MESSAGE

A Committee on the part of the House of Representatives being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to the message by His Excellency the Governor, to the General Assembly.

Whereupon,

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RECONVENES

After some time the President and Members of the Senate returned to the Senate Chamber.

NOTIFICATION THAT THE HOUSE IS READY TO ADJOURN SINE DIE

Messrs. SORG, SOLLENBERGER and LOVETT, committee from the House of Representatives, being introduced by the Sergeant-at-arms, informed the Senate that the House of Representatives is ready to adjourn sine die at eleven forty-five o'clock a. m., this day.

The PRESIDENT. The Chair thanks the Committee on behalf of the Senate.

COMMITTEE APPOINTED TO NOTIFY THE HOUSE THAT THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDENT. The President pro tempore appoints as a committee to notify the House that the Senate is ready to adjourn sine die, the Senator from Erie, Mr. Blass; the Senator from Potter, Mr. Berger and the Senator from Cambria, Mr. Haluska.

COMMITTEE APPOINTED TO NOTIFY THE GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDENT. The President pro tempore appoints as a committee to notify the Governor that the Senate is ready to adjourn sine die, the Senator from Northumberland, Mr. Troutman; the Senator from Schuylkill, Mr. Wagner and the Senator from Philadelphia, Mr. McCreesh.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 7, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

PHILADELPHIA COUNTY

Miss Eleanor A. Gary, 1211 Chestnut St., Philadelphia.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 52, entitled:

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administartive boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

House Bill No. 143, entitled:

An Act making a deficiency appropriation to aid certain school districts.

House Bill No. 300, entitled:

An Act to amend section eight hundred thirteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by allowing members of county board of school directors expenses for attendance at meetings.

House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County, the Admiral Peary Memorial Park in Cresson Township, Cambria County; restricting the use thereof, and making an appropriation to said commission for the improvement of said park.

House Bill No. 496, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying vocational training and required medical education, and authorizing the State Council for the Blind to accept grants and contributions in furtherance of such purposes.

Senate Bill No. 560, entitled:

An Act to amend sections two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

House Bill No. 580, entitled:

An Act to further amend the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law," by further extending the powers and duties of county commissioners or boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year or years.

House Bill No. 583, entitled:

An Act to amend paragraph (d) of section four hundred and nine of the Public Utility Law (Act of May 28, 1937, P. L. 1053), entitled "Public Utility Law," by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions, municipalities, corporations, utilities, persons and governmental agencies, concerned in the said crossing improvement.

House Bill No. 610, entitled:

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children.

Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties.

House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed.

House Bill No. 641, entitled:

An Act to reenact and amend the title and sections one, two, three and four of the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 797), entitled "An act relating to the release, reduction or limitation of powers of appointment," by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment, whether general or special, other than a power in trust, which is imperative, and of any interest in, to or over real or personal property, or the income therefrom, held or owned outright or in trust, or in any other manner, reserved or given to any person by deed, will or otherwise howsoever, and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spend-thrift trust provision or similar provision, and providing for the execution, delivery and recording of such release or disclaimer.

Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure

and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," by adding to Article III, Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year, as returned by it to the Federal Government for income tax purposes.

Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," providing for the transfer to the Commonwealth of all grounds, lands, buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth, and for payment therefor by the Commonwealth to the political subdivisions; and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed.

House Bill No. 734, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims not filed within the time specified by law, and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," further providing for the election of councilmen when the terms of all encumbrants expire in the same year.

Senate Bill No. 762, entitled:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen, six hundred nineteen and six hundred twenty of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by making provision for the erection, construction, maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings, wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients.

House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies, acting for the Commonwealth of Pennsylvania, to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion, situate in the Borough of Pottstown, Montgomery County, Pennsylvania; and providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission.

House Bill No. 856, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of March, one thousand nine hundred thirty-one (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class," by changing the fees to be allowed the said district attorney.

House Bill No. 870, entitled:

An Act to further amend section fifteen, and to add section fifteen and one-tenth to, the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "Dog Law of 1921," authorizing county treasurers to retain certain moneys collected under said act, and the payment thereof to certain societies for the prevention of cruelty to animals under supervision of the courts of common pleas.

House Bill No. 878, entitled:

An Act to further amend sections three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the non-payment of taxes or municipal claims; and the reconveyance or private sale of such property," by further providing for the distribution of the proceeds of such reconveyance or sale.

House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April, one thousand eight hundred seventy-eight (P. L. 26), entitled "A supplement to an act, entitled 'An act for the regulation and government of the Northampton county prison,' approved the tenth day of May, Anno Domini one thousand eight hundred and seventy-one," by fixing the compensation of prison inspectors.

House Bill No. 1120, entitled:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith, the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor, fixing their salaries and qualifications, providing for the purchase of trucks and necessary equipment to carry on the work, and making an appropriation therefor.

House Bill No. 1141, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Commission, instead of the Department of Public Instruction.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

REPORT OF COMMITTEE TO NOTIFY HOUSE THAT SENATE IS READY TO ADJOURN SINE DIE

Mr. BLASS. Mr. President, as Chairman of the Committee duly appointed, I report that we performed our duty and notified the House the Senate stands ready to adjourn sine die.

The PRESIDENT. The Chair accepts the report of the Committee and discharges the Committee, with the thanks of the Senate.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

Mr. TROUTMAN. Mr. President, the Committee appointed on behalf of the Senate to inform His Excellency, the Governor, that the Senate is ready to adjourn sine die, has performed that duty and has inquired of his Excellency, the Governor, whether he has any communications to deliver to the Senate; the Governor has replied that he has no communications and he wishes to thank the members of the Senate for the duties they have performed.

The PRESIDENT. The Chair accepts the report of the Committee and discharges the Committee, with the thanks of the Senate.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one, (P. L. 149) entitled "Liquid Fuels Tax Law," as last amended, by imposing an additional tax on liquid fuels and providing for the payment thereof into the Motor License Fund.

House Bill No. 289, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 133), entitled "Vocational Educational Law," by adding clause (d) providing for future veterans and rehabilitation programs in public schools.

House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329).

House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

House Bill No. 568, entitled:

An Act to add section 1209.1 to and to repeal subsections 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10 and 11 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts, county superintendents, and district superintendents, and providing for reimbursement by the Commonwealth.

House Bill No. 690, entitled:

An Act to amend the title and subsection (a) of section three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges.

House Bill No. 724, entitled:

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "City State Highway Law," requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the third class.

House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission, and fixing qualification and compensation of members.

House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, cooperative agricultural associations having capital stock, State and County officers, boards, and departments; and providing penalties.

House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh, Pittsburgh, Pennsylvania; providing for the transfer of such institution to the Commonwealth; providing for the management and operation of closing and abandonment thereof, and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases; providing for the retransfer under certain circumstances; conferring powers and imposing duties on the Governor and Department of Health.

House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the name of the Commissioner of Health to the Secretary of Health; further regulating the duties of medical inspectors and sanitary officers; and the employment of school nurses and dental hygienists; requiring school employes and pupils to undergo certain examinations; authorizing advisory health councils; and repealing certain acts.

House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other States; requiring cooperation with the Federal Government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation; and prescribing penalties.

House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia, to authorize the Governor of the state to execute on behalf of this State a compact with representatives of other states for the purpose of forming the abovementioned commission and creating a Potomac Valley Conservancy District, providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law" defining further words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measurers.

Whereupon,

The PRESIDENT (Lieutenant Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

REPORT OF THE ACTING CHIEF CLERK ON COMPARING BILLS

Mr. HEYBURN. Mr. President, on behalf of the Acting Chief Clerk, I desire to report having compared and found correct bills numbered and entitled as follows as having passed both branches of the Legislature and signed by the presiding officers thereof:

Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Senate Bill No. 4, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation.

Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured, and dependent relatives, members of families, and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard.

Senate Bill No. 16, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Senate Bill No. 17, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by redefining the meaning of "other hypnotic drug or analgesic drug or body-weight reducing drug" and naming certain remedies permitted to be sold at retail under certain conditions.

Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty.

Senate Bill No. 23, entitled:

An Act making an appropriation to pay the expenses of the Electoral College.

Senate Bill No. 25, entitled:

An Act to amend the first paragraph section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act to further amend the title to reenact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time" by exempting military pay due deceased service persons and veterans from the taxes herein imposed.

Senate Bill No. 27, entitled:

An Act to further amend subsection A of section one thousand six subsection C of section one thousand seven and section one thousand twelve and to amend section one thousand two hundred ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Senate Bill No. 28, entitled:

An Act to further amend subsection B of section nine hundred three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining the powers of building and loan associations

Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

Senate Bill No. 30, entitled:

An Act to amend section eight hundred and four of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections", by changing the time for the organization of State committees.

Senate Bill No. 31, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition by purchase or condemnation of land, and for the construction of a Governor's Mansion.

Senate Bill No. 32, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and

buildings by purchase, condemnation or gift, the construction and equipment and furnishing of any buildings, and the alteration, removal remodeling or replacing of existing buildings, to be used for barracks and training facilities for the Pennsylvania State Police.

Senate Bill No. 33, entitled:

An Act to reappropriate certain moneys heretofore appropriated to the Armory Board of the State of Pennsylvania for a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I; and limiting the scope of such memorial.

Senate Bill No. 37, entitled:

An Act fixing the fees of the recorder of deeds in counties of the fifth class.

Senate Bill No. 38, entitled:

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for use by the Navigation Commission for the Delaware River and its navigable tributaries.

Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

Senate Bill No. 45, entitled:

An Act to further amend sections three and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics and certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties and repealing existing legislation" as amended by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

Senate Bill No. 46, entitled:

An Act to further amend sections two and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years.

Senate Bill No. 48, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

Senate Bill No. 49, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Senate Bill No. 52, entitled:

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

Senate Bill No. 53, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen; and to make uniform the law with reference thereto

Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register.

Senate Bill No. 59, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing rest periods, sick leave, hospital and medical expenses, and extra compensation in certain cases for police in counties of the second class

Senate Bill No. 60, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

Senate Bill No. 63, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 118) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America

Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Senate Bill No. 72, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations

Senate Bill No. 73, entitled:

An Act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings; for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap; for post-war repairs to monuments in France and Belgium; and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation.

Senate Bill No. 77, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments, and providing that when such judgments are entered in one county, defenses may be made to the same by petitions to open, filed in any other county where execution thereon is issued or made.

Senate Bill No. 78, entitled:

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by increasing the compensation for services rendered by constables and their deputies.

Senate Bill No. 84, entitled:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission

Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes.

Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines.

Senate Bill No. 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

Senate Bill No. 103, entitled:

An Act making an appropriation to the Department of Property and Supplies for additions, repairs, and improvements to the buildings and grounds of the Pennsylvania Soldiers and Sailors Home at Erie.

Senate Bill No. 105, entitled:

An Act to amend section three of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 585), entitled "An act prohibiting the use of the designation of 'college' by any institution not conforming to the standards of a college prescribed by the State Council of Education; and providing for injunctions, and penalties"; requiring applications for registration of assumed or fictitious names including the word "college" to be accompanied by a certificate from the Department of Public Instruction that the applicant is entitled to use the same.

Senate Bill No. 108, entitled:

An Act to authorize the Department of Forests and Waters to lease or sell its telephone lines or parts thereof.

Senate Bill No. 111, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries, for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth.

Senate Bill No. 112, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Senate Bill No. 113, entitled:

An Act to empower political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of airports and to acquire by purchase grant or condemnation air rights and other interests in land to authorize penalties and remedies for violations of this act or of any ordinances or regulation made under the authority conferred herein and to authorize appropriations.

Senate Bill No. 115, entitled:

An Act to repeal Section forty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from

contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants.

Senate Bill No. 118, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a lot or piece of land in the borough of Edinboro, Erie County, Pennsylvania.

Senate Bill No. 123, entitled:

An Act to repeal section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties ,providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)

Senate Bill No. 129, entitled:

An Act to add subsection C to section two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting for the duration of the present war, persons in the armed forces from the payment of a fee to the Commonwealth for non-resident fishing licenses.

Senate Bill No. 138, entitled:

An Act to amend section four hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278, No. 447), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending authorization to counties to make appropriations for historical compilations and publications relating to their own counties

Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating group, accident and health insurance.

Senate Bill No. 144, entitled:

An Act to amend section one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents in death and compensation cases; and prescribing penalties," by providing for the issuance of such certificates and decrees in family and dependency allotment claims as well and extending the benefits of said act to all members of the armed forces of the United States and eliminating penalties.

Senate Bill No. 145, entitled:

An Act to amend section three of the act approved the twentieth day of May, one thousand nine hundred twenty-one, (P. L. 938), entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying, transcribing, and certification of dilapidated, faded, or injured books or papers," by providing for instances in which originals of said books and papers may be destroyed.

Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate, in compromise settlements thereof.

Senate Bill No. 165, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

Senate Bill No. 166, entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

Senate Bill No. 169, entitled:

An Act to further amend subsection (f) of section forty-nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a

valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by increasing the amount of wages due a deceased employe which may be paid to certain persons by the employer without the necessity for the issuance of letters testamentary or letters of administration.

Senate Bill No. 172, entitled:

An Act providing for the appointment of guardian in inter vivos gifts or under insurance or annuity policies

Senate Bill No. 175, entitled:

An Act to further amend sections four, ten, twelve, sixteen, seventeen and twenty and to amend section fifteen of the act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by further regulating boxing, sparring and wrestling matches and exhibitions.

Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania, for the purpose of replacing and renewing certain equipment and machinery.

Senate Bill No. 182, entitled:

A Joint Resolution proposing an amendment to section one of article fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves.

Senate Bill No. 183, entitled:

An Act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method regulating such mining and providing penalties.

Senate Bill No. 184, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States

Senate Bill No. 185, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-sixth and Forty-eighth Wards in the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States

Senate Bill No. 186, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin; and ceding jurisdiction to the United States

Senate Bill No. 187, entitled:

An Act giving consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States.

Senate Bill No. 188, entitled:

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts

Senate Bill No. 191, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," establishing an additional route in the city of Altoona.

Senate Bill No. 194, entitled:

An Act to further amend section twenty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of

licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by increasing the fee for killing unlicensed dogs

Senate Bill No. 195, entitled:

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorney's fees; and providing for the assessment and recovery of such expenses, including attorney's fees.

Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college or the State Farm Products Show Commission any properties acquired by it from The General State Authority which are being used by such land grant college or such commission; and making an appropriation.

Senate Bill No. 208, entitled:

An Act to further amend section one of the act approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by modifying the procedure for the collection and payment of the tax.

Senate Bill No. 209, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provision of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax.

Senate Bill No. 210, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by eliminating the requirements of a periodic enumeration of adults who are not citizens and of persons ten years of age or over who are unable to read write or speak English

Senate Bill No. 212, entitled:

An Act defining the lien of taxes imposed and assessed on real property by political subdivisions and fixing the time from which the lien of such taxes shall date.

Senate Bill No. 217, entitled:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions.

Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania, authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary, and making an appropriation therefor.

Senate Bill No. 221, entitled:

An Act authorizing the Commonwealth and any administrative department boards and commissions thereof acting through the Department of Property and Supplies and political subdivisions of the Commonwealth including municipal authorities to enter into contracts with the United States of America or any agency thereof for the purchase lease or other acquisition of property real or personal offered for sale pursuant to the Surplus Property Act of one thousand nine hundred forty-four without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a State agency receiving competitive bids or the delivery of property purchased before payment therefor

Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property.

Senate Bill No. 228, entitled:

An Act to amend the title and sections one and fourteen of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof.

Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April, one thousand nine hundred and forty-three (P. L. 145), entitled "An act providing for and regulating the accumulation, investment and expenditures by counties, cities, boroughs, incorporated towns and townships of funds for post war projects," extending the provisions of said act to school districts; and to the expenditure of such funds jointly with the Commonwealth or any department or agency thereof and defining the term "post war period."

Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, person, association, or corporation to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act;" providing for and regulating the change of width, garde, lines or location of state highways in such cities, the ascertainment and assessment of damages and benefits to abutting property in connection therewith, and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures; and making appropriations from the Motor License Fund.

Senate Bill No. 243, entitled:

An Act to amend section one hundred three, and to further amend section two hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," requiring persons, copartnerships, associations and corporations, who undertake the care of mental patients to make application and obtain a license from the Department of Welfare

Senate Bill No. 248, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents; making certain offenses punishable as perjury and imposing penalties.

Senate Bill No. 250, entitled:

An Act to further amend section two thousand three hundred nineteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic"

Senate Bill No. 251, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1199, No. 324), entitled "An act for the acceptance of a site from the University of Pittsburgh, and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital; providing for the erection, construction, and equipment of said hospital when appropriations are made available, and for its management by the Department of Welfare," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

Senate Bill No. 255, entitled:

An Act to reenact and amend clause two of section seven hundred and two and to further amend clause three of section nine hundred and five of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and for the levy of an annual township tax for street lighting without petition of property owners and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between township supervisors and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the road tax fund and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

Senate Bill No. 262, entitled:

An Act to further amend the act approved the fifth day

of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors

Senate Bill No. 263, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

Senate Bill No. 266, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States

Senate Bill No. 279, entitled:

An Act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties.

Senate Bill No. 284, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 270) entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval, military, or other personnel, at the Soldiers' and Sailors' Home at Erie, to the Department of Military Affairs for the maintenance and operation of said home," by including moneys received for the housing and maintaining of certain discharged service men.

Senate Bill No. 293, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1787-No. 591) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amount which the counties will receive from the State for forest reserves

Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

Senate Bill No. 300, entitled:

An Act to further amend sections twenty-five, twenty-six, and thirty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that libels in divorce may be presented, subpoenas awarded and masters appointed by, a judge at chambers.

Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," increasing the pension of a blind person.

Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives; providing for and fixing the compensation of an additional employe; changing the compensation of certain existing employes; and making an appropriation therefor and for contingent expenses

Senate Bill No. 317, entitled:

An Act providing that all fines and penalties collected in summary proceedings shall be turned over quarterly

to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture and providing a penalty for neglect to comply therewith

Senate Bill No. 319, entitled:

An Act to further amend section thirty-two of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Senate Bill No. 320, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Senate Bill No. 321, entitled:

An Act to further amend section thirty-one of the act, approved the seventh day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Senate Bill No. 322, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating the checkup of registered electors.

Senate Bill No. 323, entitled:

An Act to further amend section thirty of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Senate Bill No. 324, entitled:

An Act to amend article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for auxiliary State game refuge projects and repealing existing provisions for auxiliary State game refuges.

Senate Bill No. 333, entitled:

An Act to further amend part of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the name of the veterans' grave registrar appointed by the county commissioners to the director of veterans affairs

Senate Bill No. 341, entitled:

An Act to repeal except as to counties of the first class clause (b) 1 of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom"

Senate Bill No. 342, entitled:

An Act to amend section two hundred thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring each register of wills to give a joint and several bond approved by the judges of the orphans' court and by the Governor

Senate Bill No. 344, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, increasing the maximum amount of State debt to supply deficiencies in revenue.

Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district and authorizing the Pennsylvania Turnpike Commission to pay certain moneys into the State Treasury for the taking of certain lands.

Senate Bill No. 352, entitled:

An Act to amend section two hundred thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by authorizing temporary investments in certain obligations

Senate Bill No. 355, entitled:

An Act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon, and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties.

Senate Bill No. 356, entitled:

An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

Senate Bill No. 357, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania, known as the Veterans' Administration Facility at Lebanon, Pennsylvania; and ceding jurisdiction to the United States.

Senate Bill No. 360, entitled:

An Act to amend the title and section two of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 340), entitled "An act empowering cities of the third class, boroughs, incorporated towns and townships, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions relating to the public health, recreation, zoning and municipal planning," by extending the power of municipalities to co-operate in the exercise if their governmental powers, duties and functions

Senate Bill No. 373, entitled:

An Act to further amend the act approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops, barbers, teachers or barbering, students and apprentices.

Senate Bill No. 374, entitled:

An Act to fix the standard weights of containers for wheat and corn flours, corn meals, hominy, and hominy grits; and to provide penalties for the violation of this act.

Senate Bill No. 384, entitled:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season.

Senate Bill No. 385, entitled:

An Act to amend paragraph two of subdivision (b), and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risks of loss of or damage to personal property.

Senate Bill No. 386, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by permitting departments, boards, or commissions to make transfers of surplus products of the soil, meats, livestock, timber, or other materials raised or grown upon or taken from property of the Commonwealth, or their by-products, to other State agencies and receive credit to their appropriation, under certain conditions.

Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examing and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by further regulating grounds for refusal, revocation, or supension of the right to practice as osteopaths in the State of Pennsylvania.

Senate Bill No. 393, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, asociations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts, of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood.

Senate Bill No. 396, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield, and making an appropriation.

Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing employes. defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxaxtion and judicial process; and providing penalties," by terminating interest on accumulated deductions on the date of separating from school service.

Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149) entitled, "An act imposing a State tax, payable by those herein defined as distributors,

on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation", by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury, on the county commissioners and the Department of Highways, and changing the provisions as to reports to the Departments of the Auditor General and Revenue.

Senate Bill No. 405, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County, Pennsylvania, for use in connection with the Valley Forge General Hospital, and ceding jurisdiction to the United States.

Senate Bill No. 406, entitled:

An Act to regulate the sale of second-hand watches and providing penalties

Senate Bill No. 413, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations.

Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

AUTHORIZING INDEBTEDNESS FOR CERTAIN PROJECTS

Senate Bill No. 422, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County Pennsylvania containing approximately sixty-four acres for use in connection with the Indiantown Gap Military Reservation and ceding jurisdiction to the United States

Senate Bill No. 423, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships as herein defined prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates

Senate Bill No. 424, entitled:

An Act to amend Section 686 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession, occupation, or calling other than that of his duty as cashier shall not be guilty of a misdemeanor.

Senate Bill No. 425, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to holding of investments in the names of their corporate co-fiduciaries' nominee and validating such consents heretofore given.

Senate Bill No. 426, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by increasing the amount of group life insurance covering certain borrowers and purchasers.

Senate Bill No. 429, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of American of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States.

Senate Bill No. 431, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middletown Air Depot, and ceding jurisdiction to the United States.

Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one tenth to the act approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole and conferring jurisdiction on criminal courts in certain cases.

Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied.

Senate Bill No. 437, entitled:

An Act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor; providing for the operation of such bridges as free bridges after acquisition, and making an appropriation.

Senate Bill No. 438, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania.

Senate Bill No. 446, entitled:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts

Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers' College, to acquire a tract of land for the use of California State Teachers' College; and making an appropriation therefor.

Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention, and to stimulate, develop, and coordinate crime prevention activities in this Commonwealth.

Senate Bill No. 459, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons.

Senate Bill No. 460, entitled:

An Act to further amend subsection A of section one thousand one of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduiciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions and officers; imposing penalties; and repealing certain acts and parts of acts," by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies.

Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and privíding penalties," by defining the word "vehicle".

Senate Bill No. 468, entitled:

An Act authorizing the alteration, improvement and construction of buildings, equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River, and making an appropriation.

Senate Bill No. 469, entitled:

An Act to repeal the act, approved the twenty-first day of March, one thousand nine hundred twenty-nine (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists, and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

Senate Bill No. 473, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair

demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension.

Senate Bill No. 476, entitled:

An Act to amend section five hundred ninety of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers, directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license, excise, privilege, premium, occupation or other fee or tax imposed by any State or political subdivision thereof.

Senate Bill No. 480, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the furnishing of "Pennsbury Memorial".

Senate Bill No. 482, entitled:

An Act to add section two thousand two point two to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers' Colleges with other agencies in vocational rehabilitation education of veterans and defense workers.

Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

Senate Bill No. 488, entitled:

An Act to amend Section 3 of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" by making further provision concerning the revocation of credits given by a bank for items drawn on or payable at such bank.

Senate Bill No. 493, entitled:

An Act to repeal the special acts, approved the twelfth day of March, one thousand eight hundred sixty-six (P. L. 171), and the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 207), relating to the fees of the sheriff, prothonotary, register, recorder, clerk of courts and district attorney in Washington County.

Senate Bill No. 499, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

Senate Bill No. 500, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; perscribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

Senate Bill No. 501, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; perscribing certain procedure for the conduct

of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

Senate Bill No. 502, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

Senate Bill No. 503, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

Senate Bill No. 508, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's' licenses and motor vehicle registration certificates in certain cases, regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties.

Senate Bill No. 509, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Senate Bill No. 519, entitled:

An Act to amend section eight of the act, approved the third day of June, one thousand nine hundred nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties.

Senate Bill No. 524, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

Senate Bill No. 526, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three," providing a deficiency for indexing the Legislative Journal.

Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal; and fixing the sum allowed therefor.

Senate Bill No. 528, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants.

Senate Bill No. 532, entitled:

An Act to amend section two of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books.

Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters, with the approval of the Governor to acquire certain tracts of land for the use of said department, and making an appropriation therefor.

Senate Bill No. 537, entitled:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," providing for payment of the compensation of local registrars by the Commonwealth, and relieving counties from such payments.

Senate Bill No. 538, entitled:

An Act to amend section eight of the act, approved the eighth day of May, one thousand nine hundred forty-four (Act No. 2), entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" by further regulating the disposition of military files.

Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May, one thousand nine hundred forty-four (Act No. 1) entitled, "A Supplement to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" further regulating the disposition of military files.

Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of the public health.

Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including but not limited to livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

Senate Bill No. 560, entitled:

An Act to amend sections three, two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six, five hundred seven, six hundred one, six hundred two, eight hundred two, and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government; making exceptions in certain cases and imposing penalties.

Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the

development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

REGULATING INDEBTEDNESS OF PHILADELPHIA

Senate Bill No. 573, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares of certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by providing an alternative method of collection of such tax.

Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven, (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation of big game, requiring report of such killing, and providing penalties.

Senate Bill No. 578, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen, and section nine hundred seventy-eight point one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special, and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating certain filing fees required by said act.

Senate Bill No. 590, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies, as limited life insurance companies, and further describing the powers thereof," by further describing the powers of limited life insurance companies under certain conditions.

Senate Bill No. 599, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign nonprofit corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased.

Senate Bill No. 607, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred

forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof.

Senate Bill No. 616, entitled:

An Act to amend section two thousand four and to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto" permitting additional hours of service by policemen and firemen for the duration of the present war and providing for overtime pay for such work.

Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws.

Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, dismissal, suspension demotion and retirement of professional employes.

Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties.

Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction.

Senate Bill No. 625, entitled:

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public Health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the number of apprentices in beauty shops.

Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by further limiting the operation of motor boats on certain waters.

Senate Bill No. 628, entitled:

An Act to amend section thirteen hundred four of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" increasing the annual amount available for bear damages

Senate Bill No. 629, entitled:

An Act to amend section six hundred four of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting for purposes of conservation the designation and posting of beaver colonies prohibiting the trapping of beavers at any time in such colonies and imposing penalties

Senate Bill No. 631, entitled:

An Act to further amend section one thousand eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions wit supervised corporations, associations or persons; author

iziing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing that hereafter any claim for the amount of any deficiency in the funds, property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as given to deposits and other claims enumerated in the third category set forth in said section.

Senate Bill No. 638, entitled:

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsurance other than life insurance or annuities authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus and for reserves as required by the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789).

Senate Bill No. 642, entitled:

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh, and providing for the same as a post-war project.

Senate Bill No. 643, entitled:

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period.

Senate Bill No. 644, entitled:

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances. and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the payment of interest in certain claims.

Senate Bill No. 646, entitled:

An Act re-appropriating for additional purposes, moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap.

Senate Bill No. 649, entitled:

An Act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties.

Senate Bill No. 652, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard;" extending the provisions thereof to the Pennsylvania State Guard; and making changes with respect to advance in grade of retiring officers and enlisted men.

Senate Bill No. 653, entitled:

An Act to amend the act, approved the sixteenth day of March, one thousand nine hundred thirty-seven (P. L. 100), entitled "An act directing the Department of Military Affairs to select, procure, furnish, and award certain decorations, medals, and badges," providing for additional decorations, medals and badges and changing the procedure for awarding the same.

Senate Bill No. 656, entitled:

An Act to amend clause (a) of section three hundred one, clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employes' rights of subrogation; adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

Senate Bill No. 657, entitled:

An Act to further amend clauses (a), (b), (c), (f) and (h) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty-by adding subsection (g), and four hundred twenty-eight of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employer's rights of subrogation, adding provisions relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to pro-

penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act," providing for payment in second injury cases and making an appropriation.

Senate Bill No. 719, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," providing for the transfer to the Commonwealth of all grounds, lands, buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth, and for payment therefor by the Commonwealth to the political subdivisions; and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed.

Senate Bill No. 721, entitled:

An Act to further amend section two hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith." further regulating when a director may be elected solicitor to the board.

Senate Bill No. 722, entitled:

An Act to amend the act approved the fifteenth day of March, one thousand eight hundred ninety-nine (P. L. 8) entitled "An act to regulate the manner in which appropriations to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid," by further regulating appropriations made to land grant colleges.

Senate Bill No. 723, entitled:

An Act to amend subsection (a) and further amend subsection (b) of section nine, of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court, providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further regulating judicial review.

Senate Bill No. 724, entitled:

An Act to further amend subsection (b) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168) entitled, "An act to protect the right of employes to organize and bargain collectively, creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases: providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties;" by making further provisions for designation and selection of representatives for purposes of collective bargaining.

Senate Bill No. 726, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers College to acquire a tract of land for the use of Millersville State Teachers College and making an appropriation therefor.

Senate Bill No. 727, entitled:

An Act to provide for the sentencing of male persons convicted of certain crimes, the commitment of defective delinquents and repealing certain laws.

Senate Bill No. 728, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective

delinquents creating in the Department of Welfare the Pennsylvania Correctional Diagnostic and Classification Center providing for the diagnosis and classification of persons sentenced or committed by the courts to "a State institution" fixing the responsibility for costs of transportation and maintenance of such persons prescribing duties of the courts and the powers and duties of the Department of Welfare relative thereto making civil and criminal laws applicable to penitentiaries and persons therein or responsible therefor applicable in the case of the said institution

Senate Bill No. 729, entitled:

An Act creating certain penal and correctional institutions and boards of trustees to manage them abolishing certain penal and correctional institutions imposing duties upon the Department of Welfare and providing for cost of transportation and maintenance of inmates

Senate Bill No. 730, entitled:

An Act authorizing the Department of Property and Supplies to acquire for the use of the Department of Welfare the Kis-Lyn School located in Luzerne County to be used as a training school for certain juvenile delinquents creating a board of trustees to supervise and manage such institution regulating the admission and cost of care and maintenance of such juvenile delinquents

Senate Bill No. 731, entitled:

An Act authorizing a State training school for female juvenile delinquents creating a board of trustees to supervise and manage such institution making the admission and cost of care and maintenance of such juvenile delinquents

Senate Bill No. 732, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating in the Department of Welfare boards of trustees for certain penal, correctional and delinquent defective institutions, defining their powers and duties and changing the powers and duties of certain other penal, correctional and defective delinquent institutions.

Senate Bill No. 734, entitled:

An Act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations.

Senate Bill No. 736, entitled:

An Act validating the action of county commissioners in fixing the compensation of tax collectors in boroughs and townships for collecting county and institution district taxes.

Senate Bill No. 745, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift or purchase and to erect and maintain a memorial park upon the land upon which is located the site of Fort Pitt in Allegheny County; providing for the control and management thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Federal Government or any agency thereof or with other organizations; and making an appropriation.

Senate Bill No. 746, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

Senate Bill No. 748, entitled:

An Act providing for the acceptance by the Commonwealth of a gift of lands from the United States of America, or any federal agency, and placing such lands under the control and supervision of the Department of Forests and Waters.

Senate Bill No. 749, entitled:

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention, diagnosis, care and treatment of rheumatic fever and rheumatic heart disease.

Senate Bill No. 750, entitled:

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts; authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions; and to improve or erect buildings thereon; providing for the administration of relocated or new institutions; and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used.

Senate Bill No. 757, entitled:

An Act to further reenact and amend the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one tenth to the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities," extending the effective period thereof; substituting the Department of Public Instruction and the Governor of the State Council of Education; and placing additional duties and powers upon the trustees of State Teachers Colleges.

Senate Bill No. 760, entitled:

An Act to amend sections three, four and five and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the third day of July, one thousand nine hundred forty-one (P. L. 244), entitled "A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended, entitled 'An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,'" by extending the time of State employes to rejoin the State employes' retirement association after completion of active military service and removing the requirement for a physical examination in certain cases.

Senate Bill No. 761, entitled:

An Act to amend section three and to further amend sections four and five of a supplementary act approved the third day of July, one thousand nine hundred forty-one (P. L. 249) entitled, as amended, "A Supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled 'An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.'" by extending the time for State employes to rejoin the State Employes' Retirement Association after completion of active military service, and removing the requirement for a physical examination in certain cases.

Senate Bill No. 762, entitled:

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen, six hundred nineteen and six hundred twenty of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by making provision for the erection, construction, maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings, wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients.

Senate Bill No. 765, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire by condemnation or purchase land or land and building within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny, and to construct, alter, improve and equip such property for use of the Commonwealth, providing for the maintenance thereof, and making an appropriation.

Senate Bill No. 766, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia, Commonwealth of Pennsylvania, to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States.

Senate Bill No. 769, entitled:

An Act to amend sections three, four and five, and to repeal sections six, seven, eight, nine and ten of a supplementary act, approved the sixth day of May, one thousand nine hundred forty-two (P. L. 101) entitled, "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, 'An act establishing a public school employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service," by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service; and removing the requirement for a physical examination in certain cases.

Senate Bill No. 770, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Senate Bill No. 771, entitled:

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged, and in certain cases for the widows and wives of such persons.

Senate Bill No. 775, entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions, and an equitable basis for State aid to local governments for highway purposes; authorizing consultation with research organizations of recognized national standing; and defining its powers and duties.

Senate Bill No. 776, entitled:

An Act to further amend section five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State

Treasury; and providing penalties," by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain bevearges.

Senate Bill No. 784, entitled:

An Act to further amend Section 320 of an Act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as last amended by Section 4 of the Act approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 365).

House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of "establishment" and "industrial waste" by eliminating requirement of notice to discontinue discharges of industrial waste by changing penalties for violations by prohibiting the discharge of silt into any waters of the Commonwealth and the discharge of acid mine drainage into clean waters thereof, by authorizing the purchase or condemnation by the Sanitary Water Board and certain persons of easements or right of ways, and providing for the payment of a portion of the costs thereof by the Commonwealth in certain cases.

House Bill No. 2, entitled:

An Act to amend sections five and seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 899) entitled "An act regulating public bathing places swimming pools public bath houses public and private natatoriums turkish bath houses all places hired for any form of bathing or swimming and all related appurtenances fixing license fees providing in the matters of sanitation cleanliness and safety for supervision by the Department of Health and prescribing penalties for violation," exempting religious and charitable organizations and non-profit corporations securing permits under said act, from the payment of fees.

House Bill No. 24, entitled:

An Act to amend subsection (a) of section two of article two of the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "First Class City Charter Law," by making the mayor of any such city eligible to such office for one successive term.

House Bill No. 29, entitled:

An Act to further amend clause one of section three of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by further extending the time for present employes, as defined in the act, to elect to be covered by the retirement system.

House Bill No. 30, entitled:

An Act to further amend section seven of the act, approved the fifth day of January, one thousand nine hundred thirty-four (1933-34 P. L. 223), entitled "Veterans Compensation Act," extending the time during which application may be filed for veterans' compensation.

House Bill No. 31, entitled:

An Act authorizing the Secretary of Revenue to issue one registration plate for motor vehicles during the present war and for a period of not longer than two years thereafter and making it lawful to operate a motor vehicle with only one registration plate attached thereto as provided herein

House Bill No. 38, entitled:

An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine, (P. L. 1278), entitled "General County Law," broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

House Bill No. 39, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of 1936—P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended by extending the provisions thereof for a further limited period of time

House Bill No. 45, entitled:

An Act to further amend section two hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" exempting from registration tractors and trailers used by farmers in certain cases.

House Bill No. 46, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 6) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men" defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

House Bill No. 48, entitled:

An Act to further amend sections four hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by exempting trailers and semi-trailers from registration when used exclusively for the business of farming.

House Bill No. 51, entitled:

An Act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of Electrical Inspector.

House Bill No. 52, entitled:

An Act to amend clause six of section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

House Bill No. 56, entitled:

An Act to further amend section one of the act approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," by extending the provisions of said act to all persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith.

House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the vacation leave and sick leave to which State employes are entitled with pay.

House Bill No. 61, entitled:

An Act to amend section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by clarifying certain definitions and authorizing reimbursement by the Commonwealth in certain cases.

House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one, (P. L. 149) entitled "Liquid Fuels Tax Law," as last amended, by imposing an additional tax on liquid fuels and providing for the payment thereof into the Motor License Fund.

House Bill No. 63, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by eliminating the necessity of proclaiming the names of persons elected to certain offices.

House Bill No. 64, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

House Bill No. 66, entitled:

An Act making an appropriation to the Department of Forests and Waters for improvement and development of the Ports of Philadelphia, Chester, Pittsburgh and Erie.

House Bill No. 67, entitled:

An Act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children"s Hospital; for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage treatment plants; for sealing abandoned coal mines; for stream clearance and experimental work relating to the pollution of streams and the prevention thereof.

House Bill No. 68, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and recreational areas and the development thereof, for reforestation for the work of the department with respect to forests and forest land, for stream channel improvement and other stream clearance of any type and for encouragement of proper forest practices by private land owners.

House Bill No. 69, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 72, entitled:

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

House Bill No. 73, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-three (Appropriations Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five.

House Bill No. 78, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), as reenacted and amended, entitled "State Personal Property Tax Act," by excepting and excluding therefrom the obligations of municipal corporations.

House Bill No. 80, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended "Corporate Net Income Tax Act," as previously reenacted and amended by extending the provisions of the act for a further limited period of time.

House Bill No. 83, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "Cigarette Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

House Bill No. 87, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located East Falls, Philadelphia, Pennsylvania.

House Bill No. 88, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

House Bill No. 89, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

House Bill No. 90, entitled:

An Act making an appropraition to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

House Bill No. 91, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

House Bill No. 94, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

House Bill No. 95, entitled:

An Act conferring upon the Councils of cities of the first class the piwer and developing upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the Courts which are fixed by law or by the Courts

House Bill No. 98, entitled:

An Act to amend an act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulations in the City of Philadelphia" by restricting the operation of the act to original plans and revisions changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are the subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the majority of the owners or majority of feet frontage thereon or on one side thereof

House Bill No. 102, entitled:

An Act to amend section one of an Act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 278) entitled "An act providing that in computing the indebtedness of cities of the first class the word 'indebtedness' shall include all manner of debt and the net amount thereof shall be ascertained as in the case of other municipal corporations by deducting from the gross amount thereof the moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same" by extending and describing the amounts deductible in determining the net debt of such cities and providing a method for computing self-sustaining improvement debt and non-electoral debt

House Bill No. 108, entitled:

An Act to provide assistance for typhoid fever carriers and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College, to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

House Bill No. 113, entitled:

An Act to amend sections three hundred ten and three hundred eleven of Article III of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "The Game Law," by providing for monthly returns and payments by certain issuing agents; and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

House Bill No. 115, entitled:

An Act to amend the title and clauses (o) and (1) of section two hundred four of the act, approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853), entitled "The General County Assessment Law," by providing that said clauses shall hereafter be construed to exempt from taxation for all local purposes certain described properties or parts thereof belonging to institutions of learning, benevolence or charity, and declaring the public policy of the Commonwealth with respect to exemption of said properties from such taxation.

House Bill No. 117, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 148) entitled "An act regulating the issuance of marriage licenses prohibiting the issuance thereof to persons infected with syphilis in certain stages requiring each applicant to produce certain evidence of freedom from such disease imposing duties upon the Department of Health and the clerk of the orphans' court of the various counties and imposing penalties" authorizing a Medical Officer of the United States Public Health Service or a Medical Officer of the United States Army or a Medical Officer of the United States Navy to make serological tests and make statements

House Bill No. 119, entitled:

An Act providing for the construction, erection and maintenance of roadside parks adjacent to State highway

routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to and imposing duties upon the Department of Highways; the Secretary of Highways, the Governor, and the Department of Property and Supplies; authorizing rules and regulations and providing penalties for violations thereof; and making an appropriation.

House Bill No. 122, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June, one thousand nine hundred thirteen, (P. L. 507), entitled "Intangible Personal Property Tax Law," as last amended by the act of July twenty-one, one thousand nine hundred forty-one (P. L. 552), by exempting and excluding therefrom all public loans and obligations of any county, city, borough, town township, school district and incorporated district and incorporated district of this Commonwealth, and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities.

House Bill No. 123, entitled:

An Act to further amend clause three of subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further fixing the fee for filing nomination petitions for the office of county auditor and the office of tax collector in counties of the eighth class.

House Bill No. 127, entitled:

An Act to further amend section two of the act approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent authorized uses and traffic in human bodies," by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes.

House Bill No. 133, entitled:

An Act authorizing the acceptance by the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College of a gift of land contiguous to the lands now owned by the Commonwealth at Indiana State Teachers' College.

House Bill No. 134, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "Nurses registration Law," by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants; and providing for the reissue of such certificates.

House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth and the expenses incident to this office

House Bill No. 136, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicles operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" by providing that honorably discharged veterans may make application for renewal of old motor vehicles operators' licenses for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by and sworn to before a notary public

House Bill No. 138, entitled:

An Act authorizing the establishment, construction and maintenance of limited access highways and local service highways, and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor, providing for sharing the costs involved, and for the control of traffic thereover, providing penalties and making an appropriation.

House Bill No. 139, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at StSate Teachers Colleges and Cheney Training School for Teachers, the Pennsylvania Soldiers' Orphan School, the Thaddeus Stevens Industrial School, the Pennsylvania Oral School for the Deaf at Scranton, the Pennsylvania State College, historical monuments, markers or properties in the custody of the Pennsylvania Historical Commission, for purchase or condemnation of land, for construction of new buildings, for repair and alteration to and replacement of existing buildings, and for architectural and engineering services, for fixtures, equipment, sewage treatment plants, water supply, and electrical and other utility facilities.

House Bill No. 140, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 141, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

House Bill No. 142, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

House Bill No. 143, entitled:

An Act making a deficiency appropriation to aid certain school districts.

House Bill No. 145, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

House Bill No. 146, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the definition of "dealer" and limiting the delivery and issuance of temporary registration plates or markers.

House Bill No. 147, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses.

House Bill No. 148, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P L. 213), entitled "An act to accept the grant of Publi

Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

House Bill No. 151, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

House Bill No. 152, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 153, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

House Bill No. 155, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

House Bill No. 156, entitled:

An Act making an appropriation to the Department of Property and Supplies for use at State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other utility facilities.

House Bill No. 157, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the support of the School of Veterinary Medicine.

House Bill No. 158, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

House Bill No. 160, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto.

House Bill No. 163, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

House Bill No. 164, entitled:

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof.

House Bill No. 167, entitled:

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services

House Bill No. 168, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

House Bill No. 170, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund the proper conduct of a specific portion of its work.

House Bill No. 171, entitled:

An Act providing for the complete medical and dental examination of all children of school age and teachers in the Commonwealth and imposing certain duties upon the Department of Health.

House Bill No. 173, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended by changing the provision regarding the maximum compensation of the State Civil Service Commission.

House Bill No. 174, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five.

House Bill No. 176, entitled:

An Act to add sections eight point one and eight point two to the act approved the thirteenth day of March one thousand nine hundred three (P. L. 106) entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" by fixing the interest of the various taxing authorities having taxes or claims against property sold under the provisions of said act by the treasurer of any city of the second class and providing for the distribution of moneys received as income from or resale of any such property purchased by the city at such tax sale

House Bill No. 177, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," extending the retirement provisions relating to former teachers to additional persons who separated from school service prior to the first day of July, one thousand nine hundred nineteen.

House Bill No. 191, entitled:

An Act to further amend the act approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law," further defining the word "drug," specifying certain information to be disclosed on labels of narcotic prescriptions, requiring that narcotics be kept in the original container, requiring the disclosure of certain information to physician by patient, and providing additional penalties.

House Bill No. 199, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three, (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institutions, districts, and bodies politic or corporate created as Municipal Authorities.

House Bill No. 204, entitled:

An Act to amend sections fourteen and twenty of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act," by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued.

House Bill No. 207, entitled:

An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees.

House Bill No. 211, entitled:

An Act providing for and regulating the appointment promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs incorporated town and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated town and townships of the first class imposing penalties and repealing inconsistent laws

House Bill No. 214, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

House Bill No. 215, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania.

House Bill No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

House Bill No. 223, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," and known as The Fiscal Code, by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer, and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

House Bill No. 246, entitled:

An Act defining and regulating the practice of Chiropody and providing penalties.

House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof.

House Bill No. 264, entitled:

An Act to amend section three and to further amend section twelve of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled "Free Non-Sectarian Library Law," making more specific the power of the municipal authorities of counties. cities, boroughs, towns and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor; and validating such appropriations heretofore made.

House Bill No. 270, entitled:

An Act to amend section three hundred two of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States, or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

House Bill No. 273, entitled:

An Act to further amend the second paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," making ciunties in which deceased service persons are buried liable for the cost of headstones.

House Bill No. 274, entitled:

An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by definitely specifying the place where the records of professional examining boards shall be kept.

House Bill No. 276, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical Commission, to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania, in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement and maintenance thereof; authorizing the Pennsylvania Historical Commis-

sion to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

House Bill No. 278, entitled:

An Act to further amend the title and section one of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 477), entitled "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities (except of the second class A), boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," extending the provisions of said act to cities of the second class A.

House Bill No. 279, entitled:

An Act to amend section one of the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts p. 15), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto," increasing the amount of such appropriation and extending the time thereof.

House Bill No. 280, entitled:

An Act requiring county commissioners to report transfers of property to the commissioners of townships of the first class.

House Bill No. 281, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing township commissioners to record certificates denying responsibility for certain roads, streets, lanes, alleys or drainage facilities in connection therewith.

House Bill No. 283, entitled:

An Act to add clause XLVIII to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing purchase of real property; and construction of garbage disposal plants.

House Bill No. 284, entitled:

An Act to further amend section four of the act approved the twentieth day of May, one thousand nine hundred and fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," increasing the maximum monthly pension payments.

House Bill No. 288, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, and the farm where he was born; and to provide for the control, management, supervision, improvement, preservation and maintenance thereof; and making an appropriation.

House Bill No. 289, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 138), entitled "Vocational Education Law," by adding clause (d) providing for future veterans and rehabilitation programs in public schools.

House Bill No. 295, entitled:

An Act to repeal obsolete and supplied penal laws.

House Bill No. 300, entitled:

An Act to amend section eight hundred thirteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by allowing members of county board of school directors expenses for attendance at meetings.

House Bill No. 306, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

House Bill No. 307, entitled:

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by further providing for the triennial assessment of taxable property.

House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," discontinuing the registration of assistant pharmacists, and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists.

House Bill No. 320, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases by a judge without a jury regulating such trials and conferring a jurisdiction upon the judges of the several courts in such cases" by extending the act to all cases except murder and treason.

House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation," by eliminating the reference to relief from local taxation.

House Bill No. 322, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto"

by authorizing conveyances from husband and wife as tenants by the entireties to either husband or wife alone

House Bill No. 324, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvements of the Daniel Boone Homestead.

House Bill No. 325, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways, for roads, paths and parking areas on the Daniel Boone Homestead property.

House Bill No. 326, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of building a protective wall along the bank of the Ohio River, roof repairs, steel beam supports and renewal of piping in power plant, and one new generator, all at The Dixmont Hospital, Dixmont, Allegheny County, Pennsylvania.

House Bill No. 328, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in The Dixmont Hospital, Dixmont, Allegheny County, Pennsylvania.

House Bill No. 329, entitled:

An Act to further amend section three hundred one and section three hundred three and to amend section three hundred four of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "Insurance Department Act of 1921," by further regulating the computation of the reserve liability of life insurance companies deficiency reserve requirements and the acceptance of valuations made by other states.

House Bill No. 330, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by amending section four hundred ten (410) thereof relating to uniform policy provisions by adding thereto section four hundred ten A (410A) relating to non-forfeiture benefits and cash surrender values required in life insurance policies and by amending section four hundred twenty C (420C) thereof relating to uniform industrial policy provisions.

House Bill No. 333, entitled:

An Act to reenact sections five hundred one, five hundred two, five hundred three, five hundred four, five hundred five and five hundred six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code."

House Bill No. 334, entitled:

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Board of Elections and conferring powers on courts of quarter sessions

House Bill No. 335, entitled:

APPOINTMENT OF JUDGES AND INSPECTORS OF ELECTION BOARDS

A Joint Resolution proposing an amendment to section fourteen article eight of the Constitution of the Commonwealth of Pennsylvania

House Bill No. 336, entitled:

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purposes for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys

House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class.

House Bill No. 338, entitled:

An Act to amend sections two, seventeen, eighteen, twenty, and twenty-six of the act, approved the fourth day of June, one thousand nine hundred and forty-three (P. L. 886), entitled "Municipal Employes Retirement Law," changing certain definitions, clarifying provisions relating to local pension and retirement systems; changing the formulae for the ascertainment of contributions by members and by municipalities; eliminating the provision requiring retirement at age seventy; and reappropriating the unexpended balance of the prior appropriations.

House Bill No. 342, entitled:

An Act to amend section one of the act approved the fifth day of March one thousand nine hundred and three (P. L. 14) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies

House Bill No. 344, entitled:

An Act to further amend section five hundred and forty of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," further defining the duties of the Secretary to the board of supervisors; and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records.

House Bill No. 348, entitled:

An Act to further amend section two hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for a board of trustees of the new Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania.

House Bill No. 352, entitled:

An Act to amend the title and sections four and six of the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1644) entitled "An act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the

case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers" by changing the provisions of the act authorizing the Department of Welfare to manage and operate the same creating the Board of Trustees of the new Pennsylvania Industrial School; and defining its powers and duties.

House Bill No. 360, entitled:

An Act to add section one thousand two hundred twenty-three to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," authorizing the extension of time for inspection of motor vehicles.

House Bill No. 361, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of a tract of land in the Fortieth Ward, City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Ammunition Depot of Fort Mifflin, Pennsylvania, and ceding jurisdiction to the United States.

House Bill No. 363, entitled:

An Act to further amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "Beauty Culture Law," by further regulating requirements for examinations, licenses and fees, and revising the powers and duties of the department and revising penalties.

House Bill No. 365, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further regulating elections during the time of the present War and for six months thereafter; authorizing and providing a procedure for the voting of qualified electors in actual military service as herein defined, who are absent from their place of residence while in, attached to, or serving with the armed forces of the United States; imposing additional duties upon the various county boards of elections and election officers; placing costs upon the Commonwealth; authorizing appropriations by counties and cities of the first class; further regulating the last day for filing nomination petitions and nomination papers; the withdrawal of nominated candidates; the payment of fees by persons nominated at primary elections; the filing of substitute nomination certificates to fill vacancies caused by the withdrawal of candidates and further regulating the date of the primary election.

House Bill No. 366, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A," as amended by exempting qualified electors in military service from registration.

House Bill No. 367, entitled:

An Act to amend Supplement No. 2, approved the fifth day of May, one thousand nine hundred forty-four entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'Pennsylvania Election Code,'" by enlarging the definition of a qualified elector in actual military service and by providing for additional reimbursement of certain compensation and expenses by the Commonwealth.

House Bill No. 368, entitled:

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," as amended by exempting qualified electors in military service from registration.

House Bill No. 369, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class," as amended by exempting qualified electors in military service from registration.

House Bill No. 370, entitled:

An Act to amend the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Registration Act for Boroughs, Towns and Townships," as amended by exempting qualified electors in military service from registration.

House Bill No. 371, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in Cities of the Third Class," as amended by exempting qualified electors in military service from registration.

House Bill No. 374, entitled

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

House Bill No. 376, entitled:

An Act to further amend section six (d), and to add a new section to the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (P. L. 322), entitled "An act to amend, revise, consolidate, and change the laws relating to bonus, and providing for the imposition, computation, and collection of bonus for State purposes on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships." as last amended, by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid, and authorizing the Secretary of the Commonwealth, with the approval of the Auditor General and the Attorney General, to compromise and settle claims for bonus, interest and penalties thereon in certain cases.

House Bill No. 382, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing such townships to regulate parking.

House Bill No. 384, entitled:

An Act to add clause XX to section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing townships to adopt ordinances and to prescribe and enforce penalties for violation thereof; and providing the procedure in such cases and the payment of fines and penalties collected into the township treasury.

House Bill No. 386, entitled:

An Act making an appropriation to the Department of public Instruction for the use of the Pennsylvania Historical Commission to further complete restoration and preparing for public use as a museum the prcperty at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

House Bill No. 399, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for essential repairs and other steps immediately necessary to preserve certain structures at the Ephrata Cloisters, an important historical shrine belonging to the Commonwealth.

House Bill No. 402, entitled:

An Act to amend sections five hundred ninety and five hundred ninety-three of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by providing for the appointment of policemen by the supervisors.

House Bill No. 411, entitled:

An Act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto.

House Bill No. 412, entitled:

An Act to amend section five of the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation thereon of boats equipped with motors of four horsepower or less

House Bill No. 414, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by increasing the minimum amount to be paid to certain persons on retirement.

House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County, the Admiral Peary Memorial Park in Cresson Township, Cambria County; restricting the use thereof, and making an appropriation to said commission for the improvement of said park.

House Bill No. 419, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts, page 45), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne, destroyed by flood in said county during the month of May, one thousand nine hundred forty-two," increasing the appropriation for the construction of certain bridges.

House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May one thousand nine hundred and forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use

House Bill No. 421, entitled:

An Act to further amend section fifty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," requiring that counties shall pay the premiums on bonds of parole or probation officers.

House Bill No. 423, entitled:

An Act to amend section two thousand three hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for payment of State appropriations where schools are closed on account of impassable roads.

House Bill No. 432, entitled:

An Act to amend section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1050), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries; and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the amount and method of contributions for, and payment of death benefits.

House Bill No. 434, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park," and prescribing the uses to be made of such land.

House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties.

House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," by providing for the admission of assessors into membership of such retirement systems.

House Bill No. 449, entitled:

An Act relating to settlements; abolishing settlement and residence as a factor in eligibility for receiving public assistance or liability of the Commonwealth or any political subdivision thereof for granting assistance, and repealing inconsistent legislation.

House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the Act of Congress known as the "Servicemen's Readjustment Act of 1944" and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

House Bill No. 470, entitled:

An Act to further amend section four of the act, approved the eighth day of May, one thousand nine hundred nine (P. L. 470), entitled "Pure Drug Law," by further defining what shall constitute misbranding of drugs

House Bill No. 472, entitled:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty.

House Bill No. 474, entitled:

An Act providing for the granting of certificates of licensure to practice professions, or work at any trade or occupation in this Commonwealth for which licenses are issued by a State board or other State agency of the Department of Public Instruction or the Department of Health to certain persons who served in the military or naval forces of the United States

House Bill No. 475, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

House Bill No. 478, entitled:

An Act to amend sections one and two, and to further amend section three of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344—No. 284), entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man to make contracts as if unmarried, and to become surety on any bond, bail or recognizance.

House Bill No. 482, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," by appropriating funds from the Motor License Fund for the construction of said bridge.

House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

House Bill No. 494, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

House Bill No. 496, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying vocational training and required medical education, and authorizing the State Council for the Blind to accept grants and contributions in furtherance of such purposes.

House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining real estate brokers and real estate salesmen; and further providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business.

House Bill No. 505, entitled:

An Act relating to the practice of veterinary medicine; defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction; providing penalties and repealing existing laws.

House Bill No. 509, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," making husbands liable for payment of per capita taxes levied against their wives; and authorizing collection thereof from such husbands.

House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

House Bill No. 517, entitled:

An Act increasing the fees of Justices of the Peace and Aldermen in cases of summary conviction relating to motor vehicles

House Bill No. 522, entitled:

An Act to further amend the title and sections, one, three, eight, eleven, sixteen, eighteen and nineteen of, and to add section ten point one to the act approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled "Meat and Meat Food Products Law," including poultry within the provisions of the act; providing for the licensing of establishments; making possession of unwholesome meat or meat-food products prima facie evidence of intention to sell; and prescribing additional penalties.

House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by further regulating the administration of the police pension fund.

House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds." as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329).

House Bill No. 534, entitled:

An Act to amend subtitle (j) and sections six hundred sixty and six hundred sixty-one of article eight of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by making certain provisions now applicable to parks in second class counties only, applicable to parks in all classes of counties.

House Bill No. 536, entitled:

An Act to further amend section fifteen hundred and one of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," providing that additional inspections of the eyes of pupils may be made by opthalmologists or optometrists and for their compensation.

House Bill No. 547, entitled:

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business, or both.

House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Laws of 1925," authorizing the use of eel chutes in the Delaware River above Easton.

House Bill No. 553, entitled:

An Act to amend section two hundred twelve of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "Insurance Department Act of 1921," changing the retaliatory provisions of law, so as to equalize the burdens and prohibitions, as herein defined, placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth.

House Bill No. 558, entitled:

An Act to amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund; reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" limiting the amount of refund payable to such employes who resign or fail to return to their employment and providing for payments to school districts

House Bill No. 568, entitled:

An Act to add section 1209.1 to and to repeal subsections 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10 and 11 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts, county superintendents, assistant county superintendents, and district superintendents, and providing for reimbursement by the Commonwealth.

House Bill No. 569, entitled:

An Act to further amend section nine hundred one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by further regulating the filling of vacancies in elective borough offices.

House Bill No. 578, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "County Institution District Law," changing the conditions to borrow money for current expenses.

House Bill No. 580, entitled:

An Act to further amend the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law," by further extending the powers and duties of county commissioners or boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year or years.

House Bill No. 583, entitled:

An Act to amend paragraph (d) of section four hundred and nine of the Public Utility Law (Act of May 28, 1937, (P. L. 1053), entitled "Public Utility Law," by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission authority to assess and allocate costs of such recording on political subdivisions, municipalities, corporations, utilities, persons and governmental agencies, concerned in the said crossing improvement.

House Bill No. 585, entitled:

An Act to amend the title and sections one and two of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 476), entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census," by making the act applicable to counties of the second class, and changing and further fixing such fees.

House Bill No. 587, entitled:

An Act to amend section forty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by requiring that the cost of county treasurers' bonds in its favor shall be borne by the Commonwealth.

House Bill No. 602, entitled:

An Act to further amend section one of the act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks.

House Bill No. 610, entitled:

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children.

House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

House Bill No. 621, entitled:

An Act to add clause six and one-tenth to section eight of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," permitting employes having out-of-state service to make an additional contribution to procure an extra employe's annuity, and regulating the same.

House Bill No. 631, entitled:

An Act approving, ratifying and enacting into law, the Ohio River Valley Sanitation Compact for the prevention, abatement and control of pollution of the rivers, streams, and waters in the Ohio River drainage basin, and making the State of Pennsylvania a party thereto; creating the "Ohio River Valley Water Sanitation Commission;" providing for the members of such commission from the State of Pennsylvania; and providing for the carrying out of said compact after the conclusion of hostilities of the present war.

House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed.

House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of money through no fault of his own.

House Bill No. 636, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Pennsylvania Historical and Museum Commission as an independent administrative commission and defining its powers and duties; transferring certain powers, duties and employes from the Department of Public Instruction to the said commission; abolishing the Pennsylvania Historical Commission and making available to the commission any funds in the possession or control of the Pennsylvania Historical Commission.

House Bill No. 639, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled as amended, "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easement or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the

Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or rights of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical or lateral support to all lands, easements and rights of ways purchased, condemned or otherwise acquired by the Commonwealth.

House Bill No. 641, entitled:

An Act to reenact and amend the title and sections one, two, three and four of the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 797), entitled "An act relating to the release, reduction or limitation of powers of appointment," by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment, whether general or special, other than a power in trust, which is imperative, and of any interest in, to or over real or personal property, or the income therefrom, held or owned outright or in trust, or in any other manner, reserved or given to any person by deed, will or otherwise howsoever, and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision, and providing for the execution, delivery and recording of such release or disclaimer.

House Bill No. 642, entitled:

An Act authorizing in certain cases, the issuance of motor vehicle operators' licenses to persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit; and the temporary suspension of existing laws requiring the same.

House Bill No. 658, entitled:

An Act to further amend section eleven of the act, approved the tirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious, benevolent, humane, and patriotic purposes," by exempting federated women's clubs.

House Bill No. 660, entitled:

An Act to add section thirty-one point one, to repeal in part section thirty-two and to amend section thirty-three of the act approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," further regulating the sale of real property for the nonpayment of tax and municipal claims where a city of the first class is the claimant providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale and eliminating the right of redemption after such sales.

House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

House Bill No. 665, entitled:

An Act to further amend the act approved the twenty-second day of April one thousand nine hundred nine (P. L. 122) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" making said act apply to any corporation of the Commonwealth of Pennsylvania and extending the time thereof and authorizing certain conveyances

House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "Milk Control Law," by requiring milk dealers to give daily reports of milk delivered by milk producers.

House Bill No. 675, entitled:

An Act to further amend section fifteen of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," extending the lien of debts on decedent's real estate in certain cases.

House Bill No. 690, entitled:

An Act to amend the title and subsection (a) of section three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges.

House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "Mental Health Act of 1923," granting an exemption to the states of mental patients from the cost of maintenance in mental institutions, otherwise liable for such maintenance.

House Bill No. 695, entitled:

An Act to amend section eight hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for special meetings of school directors under jurisdiction of county superintendents.

House Bill No. 696, entitled:

An Act to further amend sections one, two, three, and four of the act approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein.

House Bill No. 714, entitled:

An Act to further amend section one of the act, approved the eighth day of July, one thousand nine hundred nineteen (P. L. 782), entitled, as amended, "An act providing that clerks, appraisers, investigators and other persons assisting the registers of wills in the collection of inheritance taxes, in all counties shall be appointed and their compensation fixed by the Secretary of Revenue;

and prescribing the method of their payment and that of other expenses incident to the collection of said taxes, including cost of registers' bonds," by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

House Bill No. 716, entitled:

An Act to further amend sections one and eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," as amended, by modifying certain definitions and prescribing the rights and liabilities of withdrawing contributors.

House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," by adding to Article III, Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year, as returned by it to the Federal Government for income tax purposes.

House Bill No. 719, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 558), entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County," correcting an erroneous measurement

House Bill No. 722, entitled:

An Act to amend section one of the act, approved the third day of May, one thusand nine hundred and fifteen (P. L. 226), entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census," by extending said act to counties of the second class, changing and further fixing the fees to be charged by said prothonotary.

House Bill No. 724, entitled:

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "City State Highway Law," requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the third class.

House Bill No. 727, entitled:

An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge.

House Bill No. 734, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims not filed within the time specified by law, and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," permitting and protecting the sale of American War Mothers' carnations.

House Bill No. 752, entitled:

An Act to amend section two of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415), entitled "Register of Wills Act of 1917," by providing for the appointment of additional deputy registers.

House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act aproved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled "General Borough Act," further providing for the election of councilmen when the terms of all encumbrants expire in the same year.

House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "First Class Township Law," by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

House Bill No. 763, entitled:

An Act to amend section one of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 936) entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate, and fixing the fees for such services," by relieving the receiver of taxes of the liability for the accuracy of said certificate.

House Bill No. 771, entitled:

An Act to further amend clause (b), section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring the authority to issue writs of habeas corpus in desertion and non-support cases.

House Bill No. 780, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

House Bill No. 782, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second class for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies; providing for the taxation and collection of fees, commossions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local.

House Bill No. 784, entitled:

An Act to add section one point one to the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" requiring counties to pay the fees of officers compensated on a fee basis

House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one, and to add clause (n) to section two hundred one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled, as amended "Aeronautical Code," by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources.

House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

House Bill No. 806, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and francise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth.

House Bill No. 807, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," as amended; by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time, further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes; eliminating provisions for an Attorney General a commission and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court.

House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies, acting for the Commonwealth of Pennsylvania, to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion, situate in the Borough of Pottstown, Montgomery County, Pennsylvania; and providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission.

House Bill No. 812, entitled:

An Act to further amend the last paragraph of section eight of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties.

House Bill No. 815, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 817, entitled:

An Act making appropriations to the Department of Property and Supplies for the further restoration, improvement and equipment of the Pottsgrove Mansion in the Borough of Pottstown, on the advice and subject to the approval of the Pennsylvania Historical Commission.

House Bill No. 821, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

House Bill No. 823, entitled:

An Act to further amend subsection (1) of section six of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmaster's Act," further regulating the return of part of the weighmaster's license fee to cities and counties.

House Bill No. 824, entitled:

An Act to repeal certain statutes relating to weights and measures.

House Bill No. 826, entitled:

An Act making an appropriation to the Department of Health to pay the costs of continuing its health programs in full, under certain conditions and prohibiting the Department to accept Federal funds under certain condition.

House Bill No. 827, entitled:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions providing for the forfeiture of their office and imposing penalties for certain actions and omissions

House Bill No. 828, entitled:

An Act to further amend section two and to amend sections three and four of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law," further regulating the returns of taxable property made by taxpayers under the provisions of said act.

House Bill No. 839, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Birough Act," by further regulating the affiairs of boroughs and revising, amending and changing the law relating thereto.

House Bill No. 842, entitled:

An Act authorizing cities, boroughs, towns and townships to establish veterans' service centers and to expend money therefor and for the operation and maintenance thereof.

House Bill No. 844, entitled:

An Act to amend section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act

House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four, and to repeal section five hundred twenty-three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by providing regulations relating to standard fire insurance policies.

House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission, and fixing qualification and compensation of members.

House Bill No. 856, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of March, one thousand nine hundred thirty-one (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class," by changing the fees to be allowed the said district attorney.

House Bill No. 866, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for the use of "reflector type" flares as "danger and caution signals."

House Bill No. 868, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the construction of a driveway at the Ephrata Cloisters.

House Bill No. 869, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

House Bill No. 870, entitled:

An Act to further amend section fifteen, and to add section fifteen and one-tenth to, the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "Dog Law of 1921," authorizing county treasurers to retain certain moneys collected under said act, and the payment thereof to certain societies for the prevention of cruelty to animals under supervision of the courts of common pleas.

House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section and making such further limitation retroactive.

House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, cooperative agricultural associations having capital stick, State and County officers, boards, and departments; and providing penalties.

House Bill No. 873, entitled:

An Act to further amend sections fifteen and eighteen of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "Cooperative Agricultural Non-stock Association Law," providing for the termination of memberships, for filing summaries of audits; for involuntary winding up and dissolution of associations failing to file such summaries, exempting associations from payment of certain State taxes and the filing of reports relative thereto, and imposing penalties.

House Bill No. 874, entitled:

An Act to further amend the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "Cooperative Agricultural Stock Association Law," providing for associations to be formed by two or more cooperative agricultural associations, removing certain limitations on holding of common stock; enlarging the powers to purchase stock of certain other corporations; providing for preferred stock in classes differing only as to rate of dividend, further regulating preferred stock dividends and patronage refunds; further regulating voting rights of stockholders, requiring filing of summaries of audits; imposing penalties, and changing the words "Auditor General" to the words "Secretary of Revenue."

House Bill No. 876, entitled:

An Act to amend section three of, and to add section three point one to the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1019), entitled as amended "An act relating to seated and unseated lands purchased by county commissioners at county treasurer's sales of such lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by authorizing the county commissioners to advertise for private offers for such lands and providing for the distribution of the proceeds of such sales.

House Bill No. 877, entitled:

An Act to further amend sections sixteen and seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales, eliminating the right of redemption after such sales, and further providing for the reimbursement to the county for moneys spent on such property in certain cases.

House Bill No. 878, entitled:

An Act to further amend sections three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district, at any sale for the non-payment of taxes or municipal claims; and the reconveyance or private sale of such property," by further providing for the distribution of the proceeds of such reconveyance or sale.

House Bill No. 881, entitled:

An Act requiring boards of prison inspectors in counties of the fourth class, to pay the premium on all bonds required of employes appointed by the board.

House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh, Pittsburgh, Pennsylvania; providing for the transfer of such institution to the Commonwealth; providing for the management and operation of closing and abandonment thereof, and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases; providing for the retransfer under certain circumstances; conferring powers and imposing duties on the Governor and Department of Health.

House Bill No. 890, entitled:

An Act to further amend section two thousand six hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorizing school districts of the second, third and fourth class to employ certified public accountants to audit the school finances in lieu of the controller or auditors of the city, borough, town or township.

House Bill No. 898, entitled:

An Act conferring the power to administer oaths on clerks in the office of the prothonotary or clerk of quarter sessions of the Peace Oyer and Terminer and General Jail Delivery.

House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the name of the Commissioner of Health to the Secretary of Health; further regulating the duties of medical inspectors and sanitary officers; and the employment of school nurses and dental hygienists; requiring school employes and pupils to undergo certain examinations; authorizing advisory health councils; and repealing certain acts.

House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof

House Bill No. 933, entitled:

An Act to add section one thousand six hundred and fifteen to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," providing for the release of pupils from the public schools for religious instruction.

House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

House Bill No. 956, entitled:

An Act to further amend section two of the act, approxed the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "Borough Rural State Highway Law," by changing certain routes and adding certain new routes.

House Bill No. 957, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing certain routes and adding certain new routes.

House Bill No. 958, entitled:

An Act to further amend section two of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "City State Highway Law," by changing certain routes and adding certain new routes.

House Bill No. 959, entitled:

An Act to further amend section two of the act approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in

cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new routes.

House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April, one thousand eight hundred seventy-eight (P. L. 26), entitled "A supplement to an act, entitled 'An act for the regulation and government of the Northampton county prison,' approved the tenth day of May, Anno Domini one thousand eight hundred and seventy-one," by fixing the compensation of prison inspectors.

House Bill No. 986, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

House Bill No. 992, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the further restoration preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

House Bill No. 1001, entitled:

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administration Code of 1929," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other States; requiring cooperation with the Federal Government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation; and prescribing penalties.

House Bill No. 1010, entitled:

An Act to add clause (k) to section one thousand three hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing further regulation of secondary education and placing additional duties upon the Department of Public Instruction and secondary schools.

House Bill No. 1011, entitled:

An Act to amend the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2687), entitled "An act authorizing the Secretary of Property and Supplies, with the approval of the Governor, to enter into contract with persons, firms or corporations to erect office buildings, and to lease such office buildings for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease," removing the authorization to contract for the erection of buildings.

House Bill No. 1012, entitled:

An Act to further amend section one thousand and three, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by further regulating the newspaper publication of the auditor's report.

House Bill No. 1017, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adulterated or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties

House Bill No. 1036, entitled:

An Act relating to the rate of pay for policemen, firemen and park guards in cities of the first class; providing for a system whereby policemen, firemen and park guards of cities of the first class, who shall enter or who shall have entered the military service during the present hostilities, shall be paid upon honorable discharge and reentry into the police, fire or park guard service, at the same rate of pay as if they had actually served on the police force, fire bureau or park guard force of cities of the first class during the years, months or days they were in the military service.

House Bill No. 1052, entitled:

An Act authorizing the compromise and final settlement of claims and suits for the collection of inheritance taxes upon the estate of decedents and claims and suits for the escheat of such estates

House Bill No. 1062, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "Orphan's Court Act of 1917," by giving trustees the right to hold certain real estate under certain conditions.

House Bill No. 1068, entitled:

An Act to protect the health, safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said Board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation.

House Bill No. 1081, entitled:

An Act to amend clause twelve of section three of the act, approved the tenth of May, one thousand nine hundred and thirty-nine (P. L. 111), entitled "Commerce Law," providing for the inspection of mineral production, the gathering and compilation of composite statistics, for reports to the General Assembly by agencies administering production control plans, and for the termination of such plans under certain circumstances.

House Bill No. 1082, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records.

House Bill No. 1085, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing Route 53073 in Schuylkill County.

House Bill No. 1088, entitled:

An Act to amend section six hundred two point one, of article six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further regulating the sale of land or any interest therein.

House Bill No. 1089, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof, subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

House Bill No. 1095, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," requiring the Pennsylvania Game Commission to pay bounties to public employees.

House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

House Bill No. 1104, entitled:

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion; providing for the organization of the various counties into soil conservation districts, the appointment of their officers and employes, and prescribing their powers and duties; creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act; providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto; providing for disposition and operation of existing districts; and repealing existing laws.

House Bill No. 1120, entitled:

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith, the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor, fixing their salaries and qualifications, providing for the purchase of trucks and necessary equipment to carry on the work, and making an appropriation therefor.

House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by authorizing stock and mutual life insurance companies to invest in housing projects either through stock ownership or real estate acquisition or use, subject to certain regulations and restrictions.

House Bill No. 1131, entitled:

An Act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency, parks, playgrounds, streets and other improvements and facilities and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties.

House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 of and to add section 21.1 to the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1705) entitled "State Board of Housing Law," by substituting the Department of Commerce for the Department of Health, eliminating the honorarium for members of the board, requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director, enlarging the board's general powers and the plans to be filed therewith, rescinding the provisions for selection and removal of the board's employes, to transfer the board from the Department of Health to the Department of Commerce, and making an appropriation.

House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies, corporate and politic, to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities, defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain, the leasing and selling of property, including borrowing money, issuing bonds and other obligations and giving security therefor; restricting the interest of members and employes of authorities; pro-

viding for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties and on certain State officers, boards and departments.

House Bill No. 1135, entitled:

An Act conferring upon counties of the second class, power to enter upon private property and open and maintain drainage channels along county roads or highways; and providing penalty for interference with such drains or ditches.

House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia, to authorize the Governor of the state to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District, providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

House Bill No. 1141, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Commission, instead of the Department of Public Instruction.

House Bill No. 1170, entitled:

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives

House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing the membership of the Pennsylvania Aeronautics Commission.

House Bill No. 1175, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-five.

House Bill No. 1184, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law" by giving jurisdiction to the Municipal Court of Philadelphia County.

House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law" defining further words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures.

House Bill No. 1194, entitled:

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in, and an endowment fund for, the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land, located in Ephrata, Lancaster County, Pennsylvania.

House Bill No. 1199, entitled:

An Act to further amend section four hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," requiring the preservation of certain records.

House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposal of the bodies of dead animals; providing for the licensing of such business and the cancellation of such license; authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department; and providing penalties.

House Bill No. 1225, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement, development and maintenance of the plot of ground in the city of Erie, Pennsylvania acquired for the location of the Flagship Niagara.

House Bill No. 1234, entitled:

An Act to further amend sections one and ten of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems.

House Bill No. 1235, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

House Bill No. 1250, entitled:

An Act providing a uniform method for taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city, county, township, borough or other political subdivision, or governmental agency of the Commonwealth.

House Bill No. 1258, entitled:

An Act to amend section three of the approved act the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons.

House Bill No. 1267, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "National Defense Housing Law," by extending the time in which the development of projects may be initiated thereunder.

House Bill No. 1271, entitled:

An Act authorizing the laying out, opening, construction and maintenance of a State highway route in the County of Juniata and making an appropriation.

House Bill No. 1278, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

House Bill No. 1279, entitled:

An Act to repeal the act, approved the tenth day of April, one thousand eight hundred seventy-three (P. L. 664), entitled "An act relating to the return days of the several courts of Dauphin County.

House Bill No. 1280, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty five.

House Bill No. 1282, entitled:

An Act to further amend the title and section three of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as last amended, "State Fire Marshal Law" including political subdivisions among the owners and occupants of buildings who may be required to remove or change such buildings.

ADJOURNMENT SINE DIE

The PRESIDENT. This being the day and hour fixed by concurrent resolution for the final adjournment and the hour of eleven-forty-five o'clock, a. m. having arrived, I hereby declare the 136th regular session of the Senate of Pennsylvania adjourned sine die.

HOUSE OF REPRESENTATIVES

MONDAY, May 7, 1945

The House met at 10 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Senator Jacob W. Carr offered the following prayer:

We bow before Thy throne of grace this morning, our Heavenly Father; we thank Thee that Thou hast permitted us life in a land where there is freedom. We thank Thee that so far Thou hast guided our nation along the way of history, and that Thou hast crowned our efforts with success.

Especially this morning, our Father, do we thank Thee that Thou hast brought us success at arms; that upon the battlefield of Europe our enemies are surrendering. We feel, oh God, that they have lost because theirs has been the cause of unrighteousness and the cause of injustice We feel oh God that we have won because those things for which we have been struggling have been those things which will best promote Thy will in this world.

Oh, our Father, we would confess that we have not always done those things which we ought to have done as Thy will for us. For this we bow in humble contrition before Thee, and ask for Thy forgiveness. We would ask our Heavenly Father that Thy peace may rest upon our deliberations this day and upon those things which we shall do, and that Thou wilt look with Grace upon our nation in the future of our life.

Grant these things as Thou seest our need in the name of our Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Saturday, May 5, 1945.

The Clerk proceeded to read the Journal of Saturday, May 5, 1945, when, on motion of Mr WATERHOUSE unanimously agreed to, the further reading was dispensed with and the Journal approved.

RESOLUTION

SINE DIE ADJOURNMENT

Mr. LICHTENWALTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, May 7, 1945.

Resolved (if the Senate concur), That this Regular Session of the General Assembly adjourn sine die Monday, May 7, 1945, at 11:05 o'clock a. m.

FRANKLIN D. LICHTENWALTER,
D. RAYMOND SOLLENBERGER,
LLOYD H. WOOD,
HERBERT P. SORG.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION

The SPEAKER laid before the House a communication from the President of the United States which was read by the Clerk as follows:

The White House, Washington, May 3, 1945.

My Dear Mr. Habbyshaw:

Many thanks for your courtesy in forwarding to me that Resolution adopted by the House of Representatives of Pennsylvania. It was especially thoughtful of the members of the House to extend their sympathy. I shall be obliged if you will express to them my deep gratitude and thanks for their confidence and support.

Very sincerely yours,

(Signed) HARRY TRUMAN.

Mr. W. E. Habbyshaw,
Chief Clerk,
House of Representatives,
Harrisburg, Pennsylvania.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 658

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 658.

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 658

The SPEAKER. The Chair lays before the House the report of the Committee of Conference on Senate Bill No. 658, Printer's No. 606.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 658, entitled: "An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions, and the payment of such compensation; providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' changing the provisions thereof and the rights, obligations and procedure thereunder."

Respectfully submit the following bill as out report:

James S. Berger,
A. H. Letzler,
Louis Klein,
(Committee on the part of the Senate.)
David P. Reese, Jr.,
Jack J. McDowell,
Reuben E. Cohen,
(Committee on the part of the House of Representatives.)

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 271) and by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) ["Base year" with respect to an individual means the period of twelve consecutive months ending the thirty-first day of December immediately preceding the first day of a benefit year Provided however That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three the base year of such benefit year shall be the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year]

"Base Year" with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the calendar year one thousand nine hundred and

forty-four and with respect to each benefit year which begins subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year

(b) ["Benefit year" with respect to an individual means the period of twelve consecutive months ending thirty-first day of May Provided however That (for the purpose of this subsection only) a week in which a benefit year begins shall be deemed to be in that benefit year which includes the major part of such week and Provided further That with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three such benefit year shall be the period defined in this subsection prior to the effective date of this amendment and such individual's next benefit year shall extend from the end of such current benefit year to the thirty-first day of May one thousand nine hundred and forty-four]

"Benefit Year" (i) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirty-first day of May one thousand nine hundred and forty-five and prior to the first day of October one thousand nine hundred and forty-five means the period beginning with the day for which such "Valid Application for Benefits" is filed and ending the thirty-first day of May one thousand nine hundred and forty-six (ii) with respect to an individual who files a "Valid Application for Benefits" as of a day subsequent to the thirtieth day of September one thousand nine hundred and forty-five means the one-year period beginning with the day as of which such "Valid Application for Benefits" is filed and (iii) thereafter the one-year period beginning with the day as of which such individual next files a "Valid Application for Benefits" after the termination of his last benefit year

[(b.2) A "First Compensable Claim" means a claim for the first week of total unemployment for which compensation is payable in a benefit year]

* * * * *

(e) "Compensated Employe" (i) with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means an employe to whom compensation equal to three times his weekly benefit rate was paid with respect to such benefit year Provided That an employe who is paid compensation under the provisions of section four hundred and seven shall not be considered a "Compensated Employe" with respect to the payment of such compensation and Provided further That when an employe has been paid compensation to which he was not entitled such payment shall not be considered in determining whether or not the employe has been paid compensation equal to three times his weekly benefit rate except that this provision shall not affect the computation of an employer's rate of contribution if such payment was not determined erroneous prior to such computation unless such payment was determined erroneous under a court decision and (ii) with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means an employe to whom compensation was paid in such benefit year

[(e)] (f) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

[(f)] (g) "Contributions" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

[(g)] (h) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

[(h)] (i) "Employe" means every individual whether male female citizen alien or minor who is performing or subsequent to January first one thousand nine hundred and thirty-six has performed services for an employer in an employment subject to this act

[(i)] (j) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty (20) days each day being in a different calendar week during the calendar year one thousand nine hundred and thirty-six or during any calendar year thereafter to and including the calendar year one thousand nine hundred and forty-four or who or which employed or employs any employe in employment subject to this act for some portion of a day during the calendar year one thousand nine hundred and forty-five or for some portion of a day during any calendar year thereafter [each day being in a different week] or (II) who or which has elected to become fully subject to this act and whose election remains in force

[Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such employer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor] Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such emloyer or by such agent or employe provided the employer had actual or constructive knowledge of the work

[Wherever a change of ownership or transfer of interest of the assets or substantially all the assets of an organization trade or business occurs within a calendar year the successor in interest is deemed to be an employer within the meaning of this section if and when (1) the predecessor and successor in interest within the same calendar year have together employed one or more employes (whether or not the same employe) for some part of twenty (20) different weeks in employment subject to this act (2) the predecessor was an employer under this act]

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes within respect to which no contributions are required and paid under an unemployment compansation law of any other state (1) if

the employe or employes included in such election maintain a domicile within this Commonwealth and the services of such employe or employes are performed entirely without this Commonwealth or (2) if the employe or employes included in the election maintains no domicile within this Commonwealth but the services of such employe or employes are (A) performed without this Commonwealth and (B) are directed from this Commonwealth

Such election shall be subject to the approval of the department [the election] and shall become binding for not less than two calendar years [or until the department on its own motion cancels the election]

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection [(j)] (1) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of the first day of January [first] of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election Notwithstanding any provisions of this subsection to the contrary the department may at any time on its own motion cancel an election approved under the provisions of this subsection

(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employe" as defined in subsection (y) of this section paid by an employer to all of his compensated employes during the last three calendar years less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such three calendar years by the total wages paid by the employer to all his employes during such three calendar years

[(j)] (1) (1) "Employment" means (i) all service performed prior to the first day of January one thousand nine hundred [forty-two] forty-five which was employment as defined in this section prior to [such date and subject to the provisions of this subsection as amended] the effective date of this amendment and (ii) all service performed after the thirty-first day of December one thousand nine hundred [forty-one] forty-four which is employment as defined in this section as hereby amended including service in interstate commerce and service as an officer of a corporation performed for remuneration or under any contract of hire express or implied written or oral

* * * * * * * * * * * *

(3) "Employment" shall also include

(A) Services covered by an election pursuant to section 4 [(i)] (j) of this act and

* * * *

(C) Notwithstanding any other provisions of section four (1) an individual's entire service as an officer or member of a crew of an American vessel wherever performed and whether in intra-state or inter-state or foreign commerce if the employer maintains within this state the operating office from which the operations of the American vessel in respect to which such services are performed are ordinarily and regularly managed supervised and controlled

(4) The word "employment" shall not include

* * * *

(2) [Domestic] Casual labor not in course of employer's trade or business and domestic service in a private home local college club or local chapter of a college fraternity or sorority

[(2.1) Casual labor not in course of employer's trade or business]

(3) Service performed as an officer or member of the crew of a vessel [on the navigable waters of the United States] not an American vessel

* * * *

(10) Service performed in the employ of [a labor] an agricultural or horticultural organization exempt from income tax under Section 101 (1) of the Federal Internal Revenue Code as amended

* * * *

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or distribution to any point for subsequent delivery or distribution

[If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) hereof]

* * * *

(5) If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is expected by paragraph (8) of subsection (1) (4) of this section

(6) Notwithstanding any of the other provisions of section four (1) services shall be deemed to be in employment if with respect to such services a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State Unemployment Compensation Fund

[(k)] (m) "Employment Office" means a public employment office or branch thereof operated by the department or by any other state or by the Federal Government under agreement with the department

[(m)] (n) "Referee" means a referee appointed [by the Governor] to hear appeals under this act

[(n)] (o) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

[(o)] (p) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child wel-

fare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

[(p)] (q) "Social Security Board" means the Social Security Board established by the Social Security Act

[(q)] (r) "State" includes Alaska Hawaii and the District of Columbia

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such Fund during the last three completed calendar years by the total wages of all compensated employes as defined in subsection (y) of this section for such three calendar years such percentage to be adjusted to the nearest multiple of one percentum

[(r)] (t) "Suitable Work" means all work which the employe is capable of performing [except work in which] In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness prior training and experience and the distance of the available work from his residence The department shall also consider among other factors the length of time he has been unemployed and the reasons therefor the prospect of obtaining local work in his customary occupation his previous earnings the prevailing condition of the labor market generally and particularly in his usual trade or occupation prevailing wage rates in his usual trade or occupation and the permanency of his residence However notwithstanding any other provisions of this subsection no work shall be deemed suitable in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

[(s)] (u) "[Total] Unemployment" An individual shall be deemed [totally] unemployed with respect [(1)] to any week during which he performs no services [for which] and with respect to which no remuneration is paid or payable to him or [(2) to any week of less than fulltime work if the remuneration paid or payable to him does not exceed three dollars ($3.00)] with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed in accordance with rules and regulations of the department remuneration paid or payable with respect to the week or weeks for which such payments are made

[(t)] (v) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(w) A "Valid Application for Benefits" means an application for benefits on a form prescribed by the department which is filed by an individual as of a day not included in the benefit year previously established by such individual who is qualified under the provisions of Section four hundred and one (a)

[(u)] (x) "Wages" means all remuneration for employment (including the cash value of mediums of payment other than cash) paid with respect to all services performed subsequent to December thirty-first one thousand nine hundred and forty-one and paid or payable with respect to all services performed prior to January first one thousand nine hundred and forty-two except that the term "wages" shall not include

(1) That part of the remuneration which after remuneration equal to three thousand dollars ($3,000) has been paid [or becomes payable] to an individual by an employer with respect to employment during [or for] any calendar year is paid [or becomes payable] to such individual by such employer with respect to employment during the calendar year one thousand nine hundred and forty and during each calendar year thereafter

(2) The amount of any payment made to or on behalf of an employe under a plan or system established by an employer which makes provision for his employes generally or for a class or classes of his employes (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employe (I) has not the option to receive instead of provisions for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employe) of the tax imposed upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments made by an employer to employes while in the military or naval service of the United States and performing no services for the employer

(y) "Wages of a Compensated Employe" with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars ($1,366) in wages which were paid to the compensated employe by an employer of such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar year in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employe's weekly benefit rate

[(v)] (z) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

(z.1) "American vessel" means any vessel documented and numbered under the laws of the United States including any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state

(z.2) "Shipping Articles" means 'Articles of Agreement' purporting to comply with section five hundred sixty-four of Title forty-six of the United States Code or any other agreement under which officers or members of the crew are employed on the high seas and under which they

are not entitled to a final settlement of wages until the termination of the period of the employment

Section 2 Section two hundred and two of said act as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) is hereby further amended to read as follows

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such offices and in the department as he may deem necessary to administer this act subject to the provisions of [section two hundred and eight of this act] the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752)

The department is authorized to cooperate with or to enter into agreements with the Railroad Retirement Board or any other agency of the United States charged with the administration of an unemployment compensation law with any political subdivision of this State or with any private nonprofit organization with respect to the establishment maintenance and use of free employment service facilities and free public employment offices and as a part of any such agreement may accept moneys services or quarters as a contribution to the administration fund

Section 3 Clause (e) of section two hundred and three of said act is hereby amended to read as follows

(e) The Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board Such appointment shall be subject to the provisions of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 752) Provided That any person who on the first day of April one thousand nine hundred and forty-five was employed as a referee may make application to the Civil Service Commission prior to the first day of July one thousand nine hundred and forty-five for appointment as a referee under the regular classified service and notwithstanding any provisions of said act or any other act to the contrary upon finding by said Commission that he or she possesses the minimum qualifications therefor shall be so appointed Any other person appointed as referee subsequent to the first day of April one thousand nine hundred and forty-five shall be appointed only in the manner provided in said act for employes in the classified service

Section 4 Section two hundred and six of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 206 Records of and Reports by Employers Each employer (whether or not liable for the payment of contributions under this act) shall keep accurate employment records containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board [and] the officers and employes of the department and [the Social Security Board] other public employes in the performance of their public duties but any [claimant] employe or employer at a hearing on an appeal [of his claim] shall upon request be supplied with information from such records to the extent necessary for the proper presentation and consideration of [his claim] the appeal

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

[Any employer required to file with the department any report necessary to enable the department to determine the amount of any contribution owing by such employer who shall neglect or refuse to do so within five days after the time such report should have been filed shall upon cinviction thereof in a summary proceeding be sentenced to pay a fine of five dollars which shall be in addition to all other penalties provided for in this act]

Any employer who has been determined by the department to be subject to the reporting provisions of this act and has been so notified and who neglects or refuses to file either the periodic report required by the department to establish the amount of such contributions or the periodic report required by the department showing the amount of wages paid to each employe or both on or before the date such reports are required to be filed shall pay a penalty of five dollars ($5.00) Such penalty shall apply to the reports for each period with respect to which such reports are required to be filed Provided That such penalty shall not apply to reports for any period with respect to which the last day for filing such reports is prior to a date on which the department has notified the employer that he has been determined an employer subject to the reporting provisions of this act unless the reports for such prior periods are not filed within thirty days after the employer has been so notified The penalties provided by this section shall be in addition to all other penalties provided for in this act.

Section 5 Section three hundred and one of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred and forty-three (P. L. 639) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contribtuions equal to the following percentages of wages paid or payable by him or it with respect to employment occurring prior to the first day of January one thousand nine hundred and forty-two

(1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

(3) Two and seven-tenths per centum with respect to employment occurring during the calendar year 1937

(3) Two and sevent-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 and 1941 [1942 and 1943]

[(4) A basic rate of two and seven-tenths per centum with respect to employment occurring during the calendar year 1944 and for each calendar year thereafter but the rate of contribution of each employer who has paid contributions under this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year beginning with employment occurring during the calendar year 1944 between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with clause (c) hereof and for each calendar quarter in accordance with clause (f) hereof]

(b) [For the purposes of this section

(1) "Compensated Employee" means an employe to whom compensation was paid in a benefit year

(2) "Wages of a compensated employe" means wages which were paid to a compensated employe in the base year immediately preceding the employe's benefit year which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid

(3) "Credit for reemployment" means for each employer the total of the amounts allowed as herein set forth for any former employes reemployed by him or employes resuming work commencing with the benefit

years which begin in the calendar year nineteen hundred forty-one An employer who desires such a "credit for reemployment" shall notify the department in writing within thirty days after the end of the employe's benefit year that he reemployed within such benefit year a compensated employe For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act whichever date is later If the department finds that any such employe did not receive benefits within such benefit year in excess of seventy-five per centum of the maximum benefits payable to him in the benefit year then for the determination of the "employer's experience" the total wages paid to such compensated employes shall be reduced by an amount equal to the percentage indicated in the following table

Maximum benefits received by an employe during a benefit year	Credit against wages paid to a compensated employe
Not more than 25%	75%
More than 25% and not more than 50%	50%
More than 50% and not more than 75%	25%

Such credits for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter shall be made for the calendar year in which the finding is made by the department and no attempt shall be made to relate such credits to the period in which the reemployment occurred

(4) "Employer's Experience" means a percentage obtained by dividing the total wages paid by an employer to his compensated employes less any credit for reemployment during the last three completed calendar years by the total wages paid by said employer to all his employes during such three calendar years

(5) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund during the last three completed calendar years by the total wages of all compensated employes for such three years such percentage to be adjusted to the nearest multiple of one per centum]

Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him or it with respect to employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one Provided That notwithstanding the provisions of this section prior to the effective date of this amendment with respect to wages paid during the calendar year one thousand nine hundred and forty-four for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during the calendar year one thousand nine hundred and forty-five for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted according to the provisions of this act prior to the effective date of this amendment and provided further that with respect to wages paid during the calendar year one thousand nine hundred and forty-six for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during each calendar year thereafter for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable Notwithstanding the provisions of section three hundred eleven any employer who prior to the enactment of this amendment may have paid contributions on wages paid during the calendar year one thousand nine hundred forty-four or one thousand nine hundred forty-five for employment occurring prior to the first day of January one thousand nine hundred forty-four at a rate of two and seven-tenths per centum such employer shall not be entitled to a refund of any portion of such contributions paid on the basis that this amendment reduces the amount of contributions required to be paid with respect to such wages but such employer may make application for adjustment in connection with subsequent contribution payments as provided in section three hundred eleven of any amount which he has paid with respect to such wages which is in excess of the amount of contributions required to be paid with respect to such wages under the provisions of this act as amended Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employe

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year commencing with the year one thousand nine hundred and forty-four shall be determined prior to the due date of his first contribution for the year in accordance with the following table

TABLE

State Experience	Employer's Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there first appears a percentage equal to or in excess of the Employer's Experience If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenths per centum

(e) No employer's rate of contribution for any calendar year commencing with [1944] the calendar year one thousand nine hundred and forty-four shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the third calendar quarter of the preceding calendar year together with interest and

penalties due thereon have been paid by the thirty-first day of December [31st] of such preceding calendar year and all his contributions on wages paid during the fourth calendar quarter of the preceding calendar year have been paid when due

(f) Safety factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter commencing with the calendar quarter ending [March 31 1944] the thirty-first day of March one thousand nine hundred and forty-four the balance in the Unemployment Trust Fund to the credit of the [State] Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employes [for the calendar year immediately preceding the determination] paid during the first four of the last five completed calendar quarters as reported to the department by the end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made

Employer's Rate of Contribution determined in accordance with paragraph (d)

Balance in fund	1%	1.5%	2.0%	2.5%	2.7%
	Employer's [final] adjusted rate of contribution on wages paid during the calendar quarter at the end of which the adjusted rate is computed [for employment in the previously completed calendar quarter]				
8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0% and less than 8.1%	1.1	1.6	2.1	2.6	2.7
7.9% and less than 8.0%	1.2	1.7	2.2	2.7	2.7
7.8% and less than 7.9%	1.3	1.8	2.3	2.7	2.7
7.7% and less than 7.8%	1.4	1.9	2.4	2.7	2.7
7.6% and less than 7.7%	1.5	2.0	2.5	2.7	2.7
7.5% and less than 7.6%	1.6	2.1	2.6	2.7	2.7
7.4% and less than 7.5%	1.7	2.2	2.7	2.7	2.7
7.3% and less than 7.4%	1.8	2.3	2.7	2.7	2.7
7.2% and less than 7.3%	1.9	2.4	2.7	2.7	2.7
7.1% and less than 7.2%	2.	2.5	2.7	2.7	2.7
7.0% and less than 7.1%	2.1	2.6	2.7	2.7	2.7
6.9% and less than 7.0%	2.2	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.3	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.4	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.5	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.6	2.7	2.7	2.7	2.7
[6.4 or less] Less than 6.5%	2.7	2.7	2.7	2.7	2.7

(g) Successor-in-interest (1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(2) An employer who subsequent to the thirty-first day of December one thousand nine hundred and forty-one transfers his or its organization trade or business in whole or in part to a successor-in-interest may jointly make application with such successor-in-interest for transfer of the "Employer's Experience" of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer The department may allow such transfer of "Employer's Experience" pursuant to rules and regulations adopted by the department only if it finds that the "Employer's Experience" of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future "Employer's Experience" of the successor-in-interest In the event of a part transfer of an employer's organization trade or business only that portion of the "Employer's Experience" relating to the portion of the organization trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred A transfer of "Employer's Experience" in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be which has been thus transferred

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f) The department shall [promptly upon written request from him] furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes [the amount of benefits paid each of such employes and the period of unemployment for which they were paid] and the benefit year to which such wages relate The determination of the department shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the secretary or his deputy The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section

(k) [The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature

which meets after the President of the United States declares that the present state of war no longer exists]

Each employer shall be given notice of the filing of applications for benefits by his former employes as provided in section five hundred one Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any wages of a compensated employe on the grounds that he was not given sufficient or adequate notice or opportunity to be heard

(l) The provisions of this section shall be effective only for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the Legislature which meets after the President of the United States declares that the present state of war no longer exists

Section 6 Section three hundred and three of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby repealed

Section 7 Sections three hundred and eight point one three hundred and eleven and subsection (d) of section three hundred and twelve of said act as amended or added by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) are hereby amended or further amended as the case may be to read as follows

Section 308.1 Contributions to Be Liens Entry Thereof All contributions and the interest and penalties thereon due and payable by an employer under the provisions of this act shall be a lien upon the franchises and property both real and personal of the employer liable therefor from the date a lien for such contributions interest and penalties is entered of record in the manner hereinafter provided Whenever the franchises or property of an employer is sold at a judicial sale all contributions and the interest and penalties thereon thus entered of record shall first be allowed and paid out of the proceeds of such sale in the same manner and to the same extent that State taxes are paid Provided however That the lien hereby created shall not be prior to pre-existing duly recorded real estate mortgages [subject nevertheless to the order of distribution prescribed in Section 310 hereof] The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for unpaid contributions interest and penalties which may now exist or hereafter arise upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 311 Refunds and Adjustments [If not later than four years from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected for any reason whatever the department shall allow such employers to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of moneys to the credit of the Employers' Contribution Account in the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department]

If any individual or organization shall make application for refund or credit of any amount paid as contribution interest or penalties under this act and the department shall determine that such amount or any portion thereof was erroneously collected the department may at its discretion either allow a credit therefor without interest in connection with subsequent contribution payments or shall refund from the Unemployment Compensation Fund without interest the amount erroneously paid Provided That an amount equal to any refund or credit of interest and penalties allowed as provided herein shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund irrespective of whether such interest or penalties were paid into the Unemployment Compensation Fund or into the Special Administration Fund No refund or credit shall be allowed with respect to a payment as contributions interest or penalties unless an application therefor shall be made on or before whichever of the following dates shall be the later (a) one year from the date on which such payment was made or (b) four years from the last day of the reporting period with respect to which such payment was made For a like cause and within the same period a refund may be so made or a credit allowed on the initiative of the department

Section 312 Reciprocal Agreements

* * *

(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of the act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for [such] reimbursement to the fund of such contributions [and the actual earnings thereon as the department finds will be fair and reasonable as to all affected interests]

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits for all the purposes of this act The department is authorized to make to other state or Federal agencies and to receive from such other state or Federal agencies reimbursements from or to the fund in accordance with arrangements entered into pursuant to this section

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging services and making available facilities and information The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public employment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security law of this State or under a similar law of such government

(e) Services performed on vessels engaged in interstate or foreign commerce for a single employer wherever performed shall be deemed to be performed within this State or within such other states

Section 8 Section four hundred and one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) is hereby further amended to read as follows

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes [totally] unemployed [on or after January first one thousand nine hunderd thirty-eight] except that payment with respect to weeks ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January

one thousand nine hundred and forty-six shall be made only for weeks of total unemployment as provided in section four hundred and four (c) and who

(a) Has within his base year been paid wages [of fifty dollars in each of two separate calendar quarters during his base year] for employment equal to not less than thirty (30) times his weekly benefit rate

(b) Has registered for work at [a designated employment office at such times and in such manner as the department may prescribe] and thereafter continued to report at an employment office in accordance with such regulations as the secretary may prescribe except that the secretary may by regulation waive or alter either or both of the requirements of this clause as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of the act Provided however That no such regulation shall conflict with section four hundred and one (c) of this act

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner and on the form prescribed by the department

(d) Is able to work and available for suitable work and

(e) Has been [totally] unemployed for a waiting period of [at least two weeks prior to the week for which the first compensable claim is filed The two weeks of total unemployment need not be consecutive] one week

No week shall be counted as a week of [total] unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which such employe claims compensation [Provided That the two weeks immediately preceding a benefit year shall be deemed (for the purpose of this subsection only) to be within such benefit year] or (2) if compensation has been paid or is payable with respect thereto or (3) unless the [individual] employe was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under section 402 (a) (b) [and] (d) (e) and (f)

Section 9 Section four hundred and two of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred and forty-three (P. L. 337) is hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation [or waiting period credit] for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by [his previous employer In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence] any employer Provided That such employer simultaneously notifies the employment office of such offer

(b) In which his unemployment is due to voluntarily leaving work without good cause Provided That no employe shall be deemed to be ineligible under this section where as a condition of continuing in employment such employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions In determining whether or not an employe has left his work voluntarily without good cause the department shall give consideration to the same factors insofar as they are applicable provided with respect to the determination of suitable work under section four (t)

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) In which [the employe's total] his unemployment is due to a voluntary suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed [but this disqualification shall apply only to the week in which the suspension occurred and for the three consecutive weeks of total unemployment which immediately follow such week Provided That this disqualification shall apply only to any week of unemployment which in whole or in part includes any part of a period beginning with the day on which such suspension occurs and ending with (i) the last day of the fourth calendar week immediately following the calendar week in which such suspension occurs or (ii) the day on which such suspension was terminated whichever is the earlier

(e) In which his unemployment is due to his discharge or temporary suspension from work for willful misconduct connected with his work

(f) Which in whole or in part includes any part of the two week period which immediately follows each period of employment under Shipping Articles

Section 10 Sections four hundred and four and four hundred and seven of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred and forty-three (P. L. 717) are hereby further amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid with respect to each eligible employe whose benefit year [began] begins prior to June first one thousand nine hundred [and forty-three] forty-five in accordance with the provisions of this act prior to that date and with respect to each eligible employe whose benefit year begins subsequent to May thirty-first one thousand nine hundred and [forty-three] forty-five [and who is totally unemployed and is not disqualified under any provisions of this act at a weekly rate and for a number of weeks to be determined in accordance with the following provisions by reference to Table I if the balance in the Unemployment Compensation Fund is in excess of one and one-half times the highest amount paid out for compensation during any twelve consecutive months or to Table II if the balance in said fund is equal to or less than one and one-half times the highest amount paid out for compensation during any twelve consecutive months as set forth in the tables in this section] in accordance with the following provisions of this section

(a) The employe's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

[(d)] (b) The "highest quarterly wages" of an employe shall be the total wages (computed to the nearest dollar) which were paid to such employe in that calendar quarter in which such total wages were highest during the base year

(c) Each eligible employe who is totally unemployed with respect to any week ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate No payment shall be made for any week ending during such period unless the employe has been totally unemployed with respect to such week and has served one waiting week as required under section four hundred one (e) Provided That with respect to such week the employe has been totally unemployed For purposes of this subsection an employe shall be deemed totally

unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or to any week of less than full-time work if the remuneration paid or payable to him with respect to such week does not exceed three dollars ($3.00)

(d) Each eligible employe who is unemployed with respect to any week ending the first day of January one thousand nine hundred and forty-six or thereafter shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars ($3.00) such compensation if not a multiple of one dollar ($1.00) shall be computed to the next higher multiple of one dollar ($1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of eighteen dollars ($18)

(e) [The maximum number of weeks for which an employe may receive compensation for total unemployment during a benefit year shall be the number of weeks which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year]

Any otherwise eligible employe shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employe shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of sixteen times the employe's weekly benefit rate or two hundred and eighty-eight dollars ($288) whichever is the lesser

(f) For purposes of this section and of section four hundred one (a) wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the respective calendar quarters in which the services of the employe were being performed

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C	
		Number of Benefit Weeks According to Base Year Earnings	
Highest Quarterly Earnings	Weekly Benefit Rate	7 Weeks	8 Weeks
$50-212	$8	$100-209	$210-237
213-237	9	221-235	236-267
238-262	10	247-262	263-297
263-287	11	273-288	289-326
288-312	12	299-314	315-356
313-337	13	325-340	341-385
338-362	14	351-366	367-415
363-387	15	377-393	394-445
388-412	16	403-419	420-475
413-437	17	429-445	446-505
438 or more	18	455-472	473-535

Table I

Part A	Part B	Part C	
		Number of Benefit Weeks According to Base Year Earnings	
Highest Quarterly Earnings	Weekly Benefit Rate	9 Weeks	10 Weeks	11 Weeks
$50-212 ..	$8	$238-265	$266-293	$294-321
213-237 ..	9	268-298	299-330	331-361
238-262 ..	10	298-332	333-367	368-402
263-287 ..	11	327-365	366-403	404-442
288-312 ..	12	357-398	399-440	441-482
313-337 ..	13	386-431	432-476	477-522
338-362 ..	14	416-464	465-513	514-562
363-387 ..	15	446-498	499-550	551-603
388-412 ..	16	476-531	532-587	588-643
413-437 ..	17	506-564	565-624	625-683
438 or more	18	536-598	599-661	662-724]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table I

Part A	Part B	Part C	
		Number of Benefit Weeks According to Base Year Earnings	
Highest Quarterly Earnings	Weekly Benefit Rate	12 Weeks	13 Weeks
$50-212	$8	$322-349	$350-377
213-237	9	362-393	394-424
238-262	10	403-437	438-472
263-287	11	443-480	481-519
288-312	12	483-524	525-566
313-337	13	523-567	568-613
338-362	14	563-611	612-660
363-387	15	604-655	656-708
388-412	16	644-699	700-755
413-437	17	684-743	744-802
438 or more	18	725-787	788-850

Table I

Part A	Part B	Part C		
		Number of Benefit Weeks According to Base Year Earnings		
Quarterly Earnings	Benefit Rate	14 Weeks	15 Weeks	16 Weeks
$50-212 ..	$8	$378-405	$406-433	$434 or more
213-237 ..	9	425-456	457-487	488 or more
238-262 ..	10	473-507	508-542	543 or more
263-287 ..	11	520-557	558-596	597 or more
288-312 ..	12	567-608	609-650	651 or more
313-337 ..	13	614-658	659-704	705 or more
338-362 ..	14	661-709	710-758	759 or more
363-387 ..	15	709-760	761-813	814 or more
388-412 ..	16	756-811	812-867	868 or more
413-437 ..	17	803-862	863-921	922 or more
438 or more	18	851-913	914-976	977 or more]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Laws)

Table II

Part A	Part B	Part C		
		Number of Benefit Weeks According to Base Year Earnings		
Highest Quarterly Earnings	Weekly Benefit Rate	6 Weeks	7 Weeks	8 Weeks
$50-212	$8	$100-207	$208-239	$240-271
213-237	9	221-233	234-269	270-305
238-262	10	247-259	260-299	300-339
263-287	11	273-285	286-329	330-373

288-312	12	299-311	312-359	360-407
313-337	13	325-337	338-389	390-441
338-362	14	351-363	364-419	420-475
363 or more ..	15	377-389	390-449	450-509

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemplyoment Compensation Law)

Table II

Part A	Part B	Part C		
		Number of Benefit Weeks According to Base Year Earnings		
Highest Quarterly Earnings	Weekly Benefit Rate	9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$272-303	$304-335	$336-367
213-237	9	306-341	342-377	378-413
238-262	10	340-379	380-419	420-459
263-287	11	374-417	418-461	462-505
288-312	12	408-455	456-503	504-551
313-337	13	442-493	494-545	546-597
338-362	14	476-531	532-587	588-643
363 or more ..	15	510-569	570-629	630-689]

[Tables Specified for the Determination of Amount and Duration of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Table II

Part A	Part B	Part C	
		Number of Benefit Weeks According to Base Year Earnings	
Highest Quarterly Earnings	Weekly Benefit Rate	12 Weeks	13 Weeks
$50-212	$8	$368-399	$400-431
213-237	9	414-449	450-485
238-262	10	460-499	500-539
263-287	11	506-549	550-593
288-312	12	552-599	600-647
313-337	13	598-649	650-701
338-362	14	644-699	700-755
363 or more	15	690-749	750-809

Part A	Part B	Part C		
		Number of Benefit Weeks According to Base Year Earnings		
Highest Quarterly Earnings	Weekly Benefit Rate	14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$432-463	$464-495	$496 or more
213-237	9	486-521	522-557	558 or more
238-262	10	540-579	580-619	620 or more
263-287	11	594-637	638-681	682 or more
288-312	12	648-695	696-743	744 or more
313-337	13	702-753	754-805	806 or more
338-362	14	756-811	812-867	868 or more
363 or more	15	810-869	870-929	930 or more]

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C		
		Base Year Wages		
Highest Quarterly Wages	Weekly Benefit Rate	9 Weeks	10 Weeks	11 Weeks
$60-212	$8	$240-265	$266-293	$294-321
213-237	9	270-298	299-330	331-361
238-262	10	300-332	333-367	368-402
263-287	11	330-365	366-403	404-442
288-312	12	360-398	399-440	441-482
313-337	13	390-431	432-476	477-522
338-362	14	420-464	465-513	514-562
363-387	15	450-498	499-550	551-603
388-412	16	480-531	532-587	588-643
413-437	17	510-564	565-624	625-683
438-462	18	540-598	599-661	662-724
463-487	19	570-632	633-698	699-765
488 or more ..	20	600-665	666-735	736-805

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C		
		Base Year Wages		
Highest Quarterly Wages	Weekly Benefit Rate	12 Weeks	13 Weeks	14 Weeks
$60-212	$8	$322-349	$350-377	$378-405
213-237	9	362-393	394-424	425-456
238-262	10	403-437	438-472	473-507
263-287	11	443-480	481-519	520-557
288-312	12	483-524	525-566	567-608
313-337	13	523-567	568-613	614-658
338-362	14	563-611	612-660	661-709
363-387	15	604-655	656-708	709-760
388-412	16	644-699	700-755	756-811
413-437	17	684-743	744-802	803-862
438-462	18	725-787	788-850	851-913
463-487	19	766-831	832-898	899-964
488 or more .	20	806-875	876-945	946-1015

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C		
		Base Year Wages		
Highest Quarterly Wages	Weekly Benefit Rate	15	16	17
$60-212 ...	8	$406-433	$434-461	$462-489
213-237 ...	9	457-487	488-519	520-550
238-262 ...	10	508-542	543-577	578-612
263-287 ...	11	558-596	597-634	635-673
288-312 ...	12	609-650	651-692	693-734
313-337 ...	13	659-704	705-749	750-795
338-362 ...	14	710-758	759-807	808-856
363-387 ...	15	761-813	814-865	866-918
388-412 ...	16	812-867	868-923	924-979
413-437 ...	17	863-921	922-981	982-1040
438-462 ...	18	914-976	977-1039	1040-1102
463-487 ...	19	965-1031	1032-1097	1098-1164
488 or more	20	1016-1085	1086-1155	1156-1225

Tables Specified for the Determination of Rate and Amount of Benefits

Part A	Part B	Part C		
		Base Year Wages		
Highest Quarterly Wages	Weekly Benefit Rate	18	19	20
$60-212 ...	8	$490-517	$518-545	$546 or more
213-237 ...	9	551-582	583-613	614 or more
238-262 ...	10	613-647	648-682	683 or more
263-287 ...	11	674-711	712-750	751 or more
288-312 ...	12	735-776	777-818	819 or more
313-337 ...	13	796-840	841-886	887 or more
338-362 ...	14	857-905	906-954	955 or more
363-387 ...	15	919-970	971-1023	1024 or more
388-412 ...	16	980-1035	1036-1091	1092 or more
413-437 ...	17	1041-1100	1101-1159	1160 or more
438-462 ...	18	1103-1165	1166-1228	1229 or more
463-487 ...	19	1165-1230	1231-1297	1298 or more
488 or more	20	1226-1295	1296-1365	1366 or more

Section 407 [Status Preserved During and After Military or Naval Service The secretary is hereby empowered and

directed to promulgate such rules and regulations as may be necessary to preserve the compensation rights of any employe who enters the armed forces of the United States subsequent to March thirty-first one thousand nine hundred forty and who is honorably discharged therefrom Such rules and regulations shall provide that the compensation rights of any such employe shall be preserved notwithstanding his entrance into the armed forces of the United States and such compensation rights shall not be adversely affected or prejudiced notwithstanding any inconsistent provisions of this act Provided however That no employe may be granted any right under the provisions of this section unless he shall have filed a claim for compensation within a period of one year from the date of such discharge And provided further That if under an Act of Congress payments with respect to unemployment of individuals who have completed a period of military service are payable by the United States such individuals shall be disqualified under this act for benefits until they have exhausted all their rights to such payments by the United States]

Compensation to Members of the Armed Forces An individual who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable after active service of ninety days or more or by reason of an injury or disability incurred in service in line of duty shall be entitled to payment of compensation as provided in section four hundred and four (c) (d) and (e) with respect to an employe who has been paid wages during his base year of one thousand three hundred and sixty-six dollars ($1366) or more and whose highest quarterly wages during such base year have been four hundred and eighty-eight dollars ($488) or more Provided That (a) Such individual

(i) was employed in employment as defined in section 4 (l) at some time during the one-year period immediately preceding the date on which he entered active military or naval service and (ii) makes application for benefits under the provisions of this section in the proper manner and on the form prescribed by the department (iii) makes claim for compensation in the proper manner and on the form prescribed by the department with respect to employes making claim for compensation under the provisions of other sections of this act (iv) is qualified under the provisions of section four hundred and one (b) (d) and (e) (v) is not ineligible under the provisions of section four hundred and two and (vi) has exhausted all rights to which he may be entitled under Title V of the Act of Congress known as the "Servicemen's Readjustment Act of 1944"

(b) All claims for compensation filed pursuant to the provisions of this section shall be with respect to weeks ending within the two year period immediately following the date of such individual's discharge or release from active military or naval service

(c) The maximum amount of compensation payable to an individual under the provisions of this section as amended shall be reduced by the amount of compensation if any which has been paid or is payable to such individual under the provisions of this section prior to the effective date of this amendment

(d) No individual who is entitled to compensation under the provisions of this section shall be entitled to compensation under any other provisions of this act with respect to wages paid prior to the date he entered active military or naval service and

(e) No compensation shall be paid under the provisions of this section with respect to weeks ending on a day more than five years subsequent to the termination of the present war

Section 11 Section five hundred and one of said act as amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 501 [Initial Determination of Compensation Appeals The department shall promptly examine any application for benefits or claim filed and on the basis of the facts found by it shall determine whether or not the application for benefits or claim is valid The determination of any application for benefits shall include the determination of the first day of the benefit year the weekly benefit rate and the number of benefit weeks payable The claimant and other affected parties shall be promptly notified of the decision and the reasons therefor in writing except that no notification shall be necessary when the department shall approve a claim for a week of total unemployment Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal]

Determination of Compensation Appeals

(a) The department shall promptly examine each application for benefits and on the basis of the facts found by it shall determine whether or not the application is valid Notice shall be given by the department in writing to the claimant and each base year employer of the claimant stating whether or not the claimant is eligible under section four hundred and one (a) and if declared eligible thereunder the weekly benefit rate and the maximum amount of compensation payable Provided That where the "Employer's Experience" of a base year employer has been transferred to a successor-in-interest such notice shall be given to the successor-in-interest and not to the original base year employer and Provided further That no notice need be given to a base year employer who has been released by the department from filing contribution reports

(b) Notice shall be given in writing to the last employer of the claimant stating that an application has been filed by the designated employe

(c) The department shall promptly examine each claim for waiting week credit and each claim for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid

Notice of such determination need not be given to the claimant if the claim is determined valid but if the claim is determined invalid notice shall be given by the department in writing to the claimant stating that the claim is invalid and the reason therefor

Notice of such determination need not be given to any base year employer or last employer of the claimant unless such base year employer or last employer has filed with the department information in writing which might raise a question as to the eligibility of the claimant for any reason other than his failure to comply with the provisions of section four hundred one (a) in which event notice shall be given as provided herein

If an employer files with the department such information within ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall issue to such employed (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is on or before the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first

valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

If an employer files with the department such information more than ten days after notice required under section five hundred one (a) or (b) was delivered to him personally or was mailed to his last known post office address the department shall only issue to such employer (i) a notice in writing of its determination with respect to each claim which is filed by the claimant for a week the first day of which is within the thirty-day period which immediately precedes the date on which such information is filed and (ii) a notice in writing of its determination with respect to the first valid claim which is filed by the claimant during the claimant's benefit year for a week the last day of which is subsequent to the date on which such information is filed

(d) The department shall notify any employer or claimant who has been notified as required under subsections (a) and (c) of this section of any revision made in the determination as contained in the original notice given to such employer or claimant

(e) Unless the claimant or last employer or base year employer of the claimant files an appeal with the board from the determination contained in any notice required to be furnished by the department under section five hundred and one (a) (c) and (d) within ten (10) calendar days after such notice was delivered to him personally or was mailed to his last known post office address and applies for a hearing such determination of the department with respect to the particular facts set forth in such notice shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of any contested amount of compensation shall be withheld pending determination of the claim but any uncontested amount of compensation allowed in any decision shall be paid notwithstanding any appeal which may thereafter be taken Provided That when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal

Section 12 Section six hundred and one of said act is hereby amended to read as follows

Section 601 Unemployment Compensation Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Unemployment Compensation Fund All contributions together with penalties and interest thereon received or collected by the department from employers under the provisions of this act except such penalties and interest which are paid into the Special Administration Fund as provided in section six hundred one point one shall be paid into the Unemployment Fund and shall be credited by the department to a ledger account to be known as the Employers' Contribution Account All Moneys from time to time received and credited to the Employers' Contribution Account (exclusive of refunds made under section three hundred eleven) shall be paid promptly by the department into the Unemployment Trust Fund except as otherwise provided in section six hundred five of this act

As often as may be necessary the department shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requisitioned funds the department shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the Compensation Account and shall expend such moneys solely for the payment of compensation as provided by this act All moneys to the credit of the Compensation Account shall be mingled and undivided The department shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 13 Said act is hereby amended by adding after section six hundred and one a new section to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Special Administration Fund Under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act may be paid into the Special Administration Fund Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund The Moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Administration Fund Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act But nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided upon requisition of the Secretary and certification by him that no other funds are available or can properly be used to finance such expenditures The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covered such expenditures were incurred prior or subsequent to the enactment of this amendment The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under section three hundred and eleven wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund

Section 14 Section six hundred and two point one of said act as added by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 845) is hereby amended to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one from the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of the date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess

of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys [appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the legislature the amount required for such replacement] transferred from the Special Administration Fund or by moneys appropriated for such purposes from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in section six hundred and two of this act This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 15 Section six hundred and three of said act is hereby amended to read as follows

Section 603 State Teasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund [and] the Administration Fund and the Special Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board of this Commonwealth Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in section six hundred one) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made under such systems of requisitioning and accounting as the Governor the State Treasurer and Secretary shall determine

Section 16 Said act is hereby amended by adding after section six hundred and six a new section to read as follows

Section 607 Moneys Advanced Under Title XII of the Social Security Act The Secretary is authorized and directed to apply for an advance of moneys and to accept the responsibility for the repayment of such advance in accordance with the conditions specified in Title XII of the Social Security Act as amended in order to secure to this Commonwealth the advantages available under the provisions of such title Notwithstanding the provisions of Section six hundred and two point two all moneys received under Title XII of the Social Security Act as amended shall be credited to the account of the Commonwealth in the Unemployment Trust Fund and shall be mingled and undivided with other moneys in such fund Such moneys thus advanced and placed to the credit of the Commonwealth in the Unemployment Trust Fund shall be subject to requisition for the payment of compensation as provided in Section six hundred and one with respect to all other moneys to the credit of the Commonwealth in such fund

Section 17 Except as otherwise provided herein the provisions of this act shall become effective the first day of June one thousand nine hundred and forty-five except that the provisions of section 6 and of subsections (j) (l) (z.1) and (z.2) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-five and the provisions of section five and of subsections (e) (k) (s) and (y) of section one (section four) shall become effective the first day of January one thousand nine hundred and forty-six

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 106

The SPEAKER. The Chair lays before the House the report of the Committee of Conference on Senate Bill No. 106, Printer's No. 609.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the

purpose of considering Senate Bill No. 106, entitled: "An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' increasing the resident fishing license fee and limiting the use of the money derived from such increase,"

Respectfully submit the following bill as our report:

O. J. Tallman,
Frank W. Ruth,
Montgomery F. Crowe,
(Committee on the part of the Senate.)

Irving S. Dix,
Anthony J. Petrosky,
(Committee on the part of the House of Representatives.)

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of the money derived from such increase

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 314) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purpose of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letter lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of [one dollar and fifty cents ($1.50)] two dollars ($2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1.00) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

Section 2 Section two hundred eighty-five of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-seven (P. L. 494) and as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 285 Fish License Fund Established All fees fines penalties and other moneys paid received recovered and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart from the various purposes designated by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue is procuring issuing or supervising the issuance of resident and non-resident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and such special deputy attorneys general assistant deputy attorneys general as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the Board of Fish Commissioners

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of Postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the Capitol Buildings or any other grounds buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the cruiser "Anna" at Torresdale on the Delaware River [and]

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board [and]

(l) The purchase and acquisition of additional land and water for State fish hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth

(m) For the refund to county treasurers of fishing license fees heretofore or hereafter erroneously paid into the Fish Fund and

(n) The sum of fifty cents (50c) from each resident fishing license fee being the increase in fees provided by this amendment shall be used exclusively for I the acquisition in the name of the Commonwealth by purchase of land and trout waters or warm water ponds or lands which because of their natural conditions can be converted into ponds dams or reservoirs anywhere in the Commonwealth or in any part thereof with such rights of ingress or egress to or from such waters as may be necessary to make the same available for use by the citizens of the Commonwealth for fishing and the maintenance thereof II the rebuilding of torn out dams and III the study of problems related to better fishing All moneys received under the provisions of this clause and all expenditures made from such moneys shall be shown in detail by the board in every annual report or annual statement rendered by it

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purposes hereinbefore enumerated All printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes for which such requisition was made at the time of making such requisition

Section 3 This act shall become effective on the first day of January one thousand nine hundred forty-six

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. BARTON. Mr. Speaker, before the vote is taken on this conference report, I think this House should have a brief explanation of Senate Bill 106.

This bill as originally passed by the Senate provided for an increase of fifty cents in fishers' license, and earmarked that fifty cents increase for the purchase of land. When that bill came from the conference committee a subcommittee was appointed, and that subcommittee made a very thorough study of this situation. A public hearing was held on the bill, and this House amended the bill so that the fifty cents increase would be earmarked for the propagation and distribution of fish.

The Senate refused to concur in the House amendment, and a conference committee was appointed. We came out as usual in our conference with the Senate, and the bill was put back in its original form, and as it now stands the fifty cents is earmarked for the purchase of land.

There are a number of Members in this House who are opposed in any increase in the fishing license, but they were willing to go along if they can go back home and tell their fishermen friends that the fifty cent increase was earmarked for the propagation and distribution of fish, but they are absolutely opposed to this conference report, and I ask that the Members go along in opposing the report.

Mr. Speaker, I ask for a roll call, a slow roll call, and insist that only those who answer to their names be recorded.

Mr. WORLEY. Mr. Speaker, I concur with the gentleman from Perry, Mr. Barton. I see no reason for raising the fishing license to two dollars. The one dollar and a half is sufficient. If we want to stock more fish, and I agree that is fine, let us take it out of the first one dollar fifty cents rather than vote the two dollars license fee upon the people.

Mr. ANDREWS. Mr. Speaker, I was engaged in a conversation with a Republican Member of the House, unfortunately, and I am arising to inquire what all the shooting is about.

The SPEAKER. The Chair laid before the House the report of the Committee of Conference on Senate Bill 106. The fishing license bill.

Mr. HEATHERINGTON. Mr. Speaker, the original bill introduced was the Allegheny County Sportsmen's bill, and the letters I received were in favor of that bill. After the bill was amended they were not in favor of it. We are in favor of the bill as is was originally introduced.

Mr. DIX. Mr. Speaker, I rise for the purpose of enlightening the gentleman from Cambria, Mr. Andrews.

This bill in its original form as it was passed by the House included an amendment which would make the propagation of fish the main purpose of the increase in the license fee. However, the Senate would not agree to the amendment as passed by the House.

At the conference between the Senate and the House the best bargain that we could make with the Senate was to make one change in the wording of the original Senate bill, and that change was the word "maintenance."

I contend that the word maintenance is very technical and might include also the propagation of fish for those particular streams which are purchased by the Fish Commission, if this conference report is adopted.

I do not rise either to defend the position of the conference committee or to oppose it; I am leaving the matter entirely in the hands of the Members of the House. I shall be satisfied, Mr. Speaker, with whatever vote the Members of the House desire to make.

Mr. PETROSKY. Mr. Speaker, as a minority Member of the committee of conference on Senate Bill 106, I certainly am not going to dwell on this subject for any length of time, because I feel this could be covered by saying that the increase of fifty cents in the fishing fee is going to be used for a specific purpose, and it is so desired by the Allied Sportsmen's Clubs of Pennsylvania.

The committee felt in order to warrant an increase in the license fee for the fishermen they would have to give the fishermen something for it. I say at the outset that they are interested in this bill and sponsoring the same, but Senators Tallman and Farrell and the Allied Sportsmen's Clubs of Pennsylvania are willing to let the bill fall if it cannot be passed in such a way that there is something being given for the increase that is being asked for them to pay. I call the attention of the House to the fact that the Fish Commission has the necessary funds and the necessary authority already to further propagate and expend the fish life in Pennsylvania.

This bill is being supported by the clubs who are genuinely interested in providing more waters for fishermen to use and thereby increase the number of persons purchasing licenses, and up the revenue, increasing greatly the revenue of the fishers by the additional purchases that will be effected in the event you can give fishermen more ponds, more waters and more rivers to fish in.

I would respectfully urge and ask consideration of Members on both sides of the House to vote for the conference report on Senate Bill 106.

Mr. LICHTENWALTER. Mr. Speaker, I rise in defense of this conference report. I know that there is a division of opinion in this House, and I respect the opinion of my good friend Secretary French, who stood by very courageously in this conference report. I know the feeling of the men originally in the northern tier of counties regarding the matter of an increase in the fishing license. I think we are all interested in this increase because of the various provisions set forth in this bill. I respect their opinion, and they have a perfect right to it, but in my county the sportsmen and those interested in fishing are greatly concerned with the lack of fishing waters for the future fishermen, whom we call poor fishermen, who cannot belong to clubs that have purchased land and have the fishing streams. They feel that if we are to preserve the fishing for these people in the metropolitan areas in the future, that there must be a purchase and acquisition of land in order to afford them this recreation. Therefore I feel that the report of conference, while it is not what we hoped for—I had hoped that there might be a compromise by which the men who were interested in the propagation of fish would receive consideration, along with that of the acquisition and purchase of land. I had hoped that that might have come out of the conference committee. Therefore, in the interest of my constituents, I certainly urge the adoption of the conference committee report, not as Majority Leader, but purely as a matter of representing my people back home.

Mr. ELDER. Mr. Speaker, I feel as though I should explain my position on Senate Bill 106, as I was a member of the conference committee. I could not sign the report because the sportsmen in my section of the country are absolutely opposed to the bill in its present form. Therefore, I ask the Members to vote not to accept this conference report.

Mr. BARTON. Mr. Speaker, I am sorry that I cannot agree with my good friend Lichtenwalter, when he says that fishermen need a lot more land. I really feel if the people all over the State understood the situation, they would realize that they have plenty of water and we do not have very many fish. I think this fifty cents that is asked to be added to the fishing license definitely ought to go to the propagation of fish.

Mr. GOODLING. Mr. Speaker, I am sorry to oppose the Majority Leader. In my home county of York some five or six thousand people have asked me to oppose this conference committee report. They did favor the original amendments in the House but they are definitely opposed to this report, and I am therefore voting against it.

Mr. WATERHOUSE. Mr. Speaker, just to get this straight, I am from the northern tier of counties, and our organizations there are not opposed to this measure in its present form. I, therefore, would have to ask that this report be approved.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—62

Andrews,	Gaffney,	Lichtenwalter,	Reese, D. P.,
Baker,	Gallagher,	Longo,	Reidenbach,
Boles,	Grant,	Mahany,	Reynolds,
Brunner, C. H.,	Guthrie,	McNally,	Scanlon,
Brunner, P. A.,	Hamilton,	Mihm,	Schuster,
Burns,	Haudenshield,	Mooney,	Serrill,
Cook,	Heatherington,	Munley,	Stuart,
Cooper,	Helm,	Myhan,	Swope,
Corrigan,	Hoffman,	Nagel,	Tate,
Dennison,	Jones,	O'Donnell,	Verona,
Dix,	Kirley,	O'Neill,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Waterhouse,
Elish,	Krise,	Polen,	Welsh,
Ewing,	Laughner,	Powers,	Wood, L. H.,
Fleming,	Leisey,	Readinger,	Wright,
Freed,	Leonard,		

NAYS—76

Barton,	Fullerton,	Loftus,	Reagan,
Baumunk,	Gardner,	Lovett,	Reilly,
Bonawitz,	Getchey,	Madigan,	Riley,
Boorse,	Gibson,	Matthews,	Robertson,
Bower,	Goodling,	McClester,	Shoemaker,
Breisch,	Gore,	McCormack,	Sloan,
Brice,	Greer,	McDowell,	Smith,
Brothers,	Gyger,	McKinney,	Snider,
Cadwalader,	Haberlen,	McLanahan,	Snyder,
Cohen,	Hall,	McMillen,	Sorg,
Costa,	Hare,	McNair,	Stonier,
Coulson,	Hewitt,	Mikula,	Tittle,
Dague,	Hoopes,	Miller,	Turbett,
Dye,	Howells,	Moore, C. E.,	Turner,
Elder,	Hunter,	Moran,	Wescott,
Flack,	Huntley,	Nelson,	Wood, N.,
Foor,	Kennedy,	O'Dare,	Worley,
Fox,	Kline,	Polaski,	Yester,
Frost,	Kurtz,	Propert,	Fiss, Speaker.

NOT VOTING—69

Barrett,	Green,	Mills,	Rudisill,

Bentley,	Greenwood,	Modell,	Salus,
Bentzel,	Hennihan,	Moore, W. J.,	Shaffer,
Boney,	Hering,	Moser,	Skale,
Boory,	Herman,	Murray, M. L.,	Sollenberger,
Brancato,	Hersch,	Murray, P. G.,	Stank,
Brown,	Hoggard,	O'Brien,	Stockham,
Chervenak,	James,	O'Connor,	Tahl,
Chudoff,	Komorofski,	Owens,	Trachtman,
Coleman,	Lane,	Pentrack,	Trent,
Coyle,	Lee,	Pettigrew,	Trout,
Cullen,	Levy,	Pickens,	Varallo,
Dalrymple,	Lopez,	Reese, R. E.,	Wagner,
Depuy,	Lyons,	Regan,	Watkins,
Dillon,	Madden,	Root,	Weiss,
Duffy,	McAtee,	Rose,	White,
Erb,	Milliken,	Royer,	Yeakel,
Finnerty,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have noted with interest the request of the gentleman from Lycoming, Mr. Elder, that upon this particular subject only those who vote should be counted. I had expected that sometime during the session somebody on the other side of the House would make that request. I would have appreciated such a request had it been filed earlier in this session.

SENATE MESSAGE

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 561.

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

Mr. HALL. Mr. Speaker, I move that the House recede from its amendments non-concurred in by the Senate?

On the question,

Will the House recede from its amendments non-concurred in by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Lyons,	Reynolds,
Baker,	Gaffney,	Madden,	Riley,
Barrett,	Gallagher,	Madigan,	Robertson,
Barton,	Gardner,	Mahany,	Root,
Baumunk,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Bonawitz,	Goodling,	McClester,	Rudisill,
Boney,	Gore,	McCormack,	Salus,
Boorse,	Grant,	McDowell,	Scanlon,
Boory,	Green,	McKinney,	Schuster,
Bower,	Greenwood,	McLanahan,	Serrill,
Brancato,	Greer,	McMillen,	Shaffer,
Breisch,	Guthrie,	McNair,	Shoemaker,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner, C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hering,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Munley,	Tate,
Corrigan,	Hoffman,	Murray, M. L.,	Tittle,
Costa,	Hoopes,	Murray, P. G.,	Trachtman,
Coulson,	Howells,	Myhan,	Trent,
Coyle,	Hunter,	Nagel,	Trout,
Cullen,	Huntley,	Nelson,	Turbett,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Varallo,
Dennison,	Kennedy,	O'Dare,	Verona,
Depuy,	Kirley,	O'Donnell,	Wachhaus,
Dillon,	Kline,	O'Neill,	Wagner,
Dix,	Kolankiewicz,	Owens,	Waterhouse,
Dougherty,	Komorofski,	Pentrack,	Watkins,
Duffy,	Krise,	Petrosky,	Weiss,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, L. H.,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,	Reilly,	

NAYS—0

NOT VOTING—5

Bentley,	Hoggard,	Regan,	Skale,
Boies,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the House receded from its amendments non-concurred in by the Senate.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 8.

An Act to authorize the Department of Commerce under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation.

SENATE BILL No. 88.

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes

SENATE BILL No. 116.

An Act to further amend sections one eleven and twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled

"An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annunities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by modifying certain definitions and imposing further powers and duties upon the retirement board prescribing the rights and liabilities of withdrawing contributors and of disability annuitants

SENATE BILL No. 157.

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlements thereof

SENATE BILL No. 191.

An Act to the the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" establishing an additional route in the city of Altoona

SENATE BILL No. 312.

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" increasing the pension of a blind person

SENATE BILL No. 319.

An Act to further amend section thirty-two of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

SENATE BILL No. 320.

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

SENATE BILL No. 321.

An Act to further amend section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

SENATE BILL No. 322.

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 489) entitled "An act to provide for the permanent personal registration of elec-

tors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating the check-up of registered electors

SENATE BILL No. 323.

An Act to further amend section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

SENATE BILL No. 387.

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspenion of the right to practice as osteopaths in the State of Pennsylvania

SENATE BILL No. 404.

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

SENATE BILL No. 434.

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole and conferring jurisdiction on criminal courts in certain cases

SENATE BILL No. 437.

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation

SENATE BILL No. 438.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania

SENATE BILL No. 473.

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension

SENATE BILL No. 502.

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of cities parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers

municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

SENATE BILL No. 508.

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

SENATE BILL No. 523.

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

SENATE BILL No. 563.

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

SENATE BILL No. 578.

An Act to further amend subsection (b) of section nine hundred thirteen and section nine hundred seventy-eight point one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating certain filing fees required by said act

SENATE BILL No. 599.

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

SENATE BILL No. 600.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 298) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and adding provisions relative to corporate names and addresses advertising filing of certificates by foreign nonprofit corporations revocation of certificates of authority making certain certificates prima facie evidence in certain cases and by providing penalties

SENATE BILL No. 624.

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction

SENATE BILL No. 625.

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops

SENATE BILL No. 626.

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters

SENATE BILL No. 638.

An Act to authorize domestic stock and mutual insurance companies other than life to transact outside of the United States its territories and possessions any and all forms of insurance or reinsuranace other than life insurance or annuities authorizing such companies to ac-

cept any and all kinds of reinsurance other than life insurance or annuities providing for the maintenance in either case of a minimum policyholders' surplus And for reserves as required by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789)

SENATE BILL No. 642.

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh and providing for the same as a post-war project

SENATE BILL No. 675.

An Act to repeal The General State Authority Act of one thousand nine hundred thirty-five and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth

SENATE BILL No. 724.

An Act to further amend subsection (b) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further provisions for designation and selection of representatives for purposes of collective bargaining

SENATE BILL No. 749.

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention diagnosis care and treatment of rheumatic fever and rheumatic heart disease

SENATE BILL No. 750.

An Act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated or new institutions and empowering the Board of Commissioners of Public Grounds and Buildings to dispose of institutions no longer used

SENATE BILL No. 765.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation

SENATE BILL No. 766.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States

SENATE BILL No. 770.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1001

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1001, Printer's No. 432, for further consideration and amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

COMMUNICATION AND BILL LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, for the purpose of the record I find myself in a very bad position because of my absence from the House on Thursday, May 3, and for the purpose of the record I wish to state that I was very lax in not asking for leave of absence. Inasmuch as I had received a telephone call from my home notifying me that my

youngest daughter had a bad fall, I wished to be back there at home and to help that situation as best I could intending, of course, to come back for Friday morning session. I just want to state this for the purpose of the record, so that possibly I may have a clear conscience in the future.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 127.

An Act to further amend section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes and further regulating the burial costs

HOUSE BILL No. 156.

An Act making an appropriation to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

HOUSE BILL No. 163.

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth

HOUSE BILL No. 280.

An Act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class

HOUSE BILL No. 411.

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1002

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1002.

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 884.

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health and making an appropriation

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BIL No. 719.

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one

thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the transfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 143.

An Act making a deficiency appropriation to aid certain school districts

HOUSE BILL No. 300.

An Act to amend section eight hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" by allowing members of county board of school directors expenses for attendance at meetings

HOUSE BILL No. 417.

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park

HOUSE BILL No. 496.

An Act making an appropriation to the State Council for the Blind for use in improving the condition of the blind by supplying to adult blind vocational training which will lead to remunerative employment with seeing workers to provide for their employment and placement in industry business and the professions to obtain required medical service for such training and placement to meet expenses necessary for their program and to take any action necessary to accept any grants from the Federal Government or any agency thereof to further these objectives

HOUSE BILL No. 580.

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further extending the powers and duties of county commissioners or boards of revision of taxes whenever facts may become known to reassess the personal property of any such taxable for any former year or years

HOUSE BILL No. 583.

An Act to amend Paragraph (d) of Section 409 of the Public Utility Law (Act of May 28 1937 P. L. 1053) entitled "Relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale methods of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alterations relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriations of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulations the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing further for the manner in which properties appropriated for crossing improvements by the Public Utility Commission shall be recorded and giving the Public Utility Commission authority to assess

and allocate costs of such recording on political subdivisions municipalities corporations utilities persons and governmental agencies concerned in the said crossing improvement

HOUSE BILL No. 610.

An Act making an appropriation to the Department of Public Instruction for the purchase of large-type books for partially sighted children

HOUSE BILL No. 632.

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

HOUSE BILL No. 641.

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitations of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision and providing for the execution delivery and recording of such release or disclaimer

HOUSE BILL No. 717.

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions

HOUSE BILL No. 734.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

HOUSE BILL No. 755.

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year

HOUSE BILL No. 808.

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission

HOUSE BILL No. 856.

An Act to amend section one of the act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" by changing the fees to be allowed the said district attorney

HOUSE BILL No. 870.

An Act to further amend section fifteen and to add section fifteen and one-tenth to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals under supervision of the courts of common pleas

HOUSE BILL No. 878.

An Act to further amend sections three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" by further providing for the distribution of the proceeds of such reconveyance or sale.

HOUSE BILL No. 977.

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors.

HOUSE BILL No. 1120.

An Act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor.

HOUSE BILL No. 1141.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Commission instead of the Department of Public Instruction.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE RECORDS TO BE FILED

The SPEAKER. Pursuant to the provisions of House Rule 31 the standing committees of the House are required to file all committee records with the Chief Clerk. The Chairman of these committees are directed to carry out the provisions of this Rule.

CONGRATULATORY RESOLUTION

Messrs. GREER, McCLESTER and GOODLING asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, May 7, 1945.

The Members of this House will miss another real treat through the fixing of today for final adjournment.

Thursday, May 10th, is the birthday of the Honorable Samuel L. Pickens of East Brady, and the Penn-Harris Hotel.

This being his first session as a Member, there is no official record of the date of his birth nor what he has been doing all our lives.

The Legislative Record beyond giving his name and addresses, only states that he is a publisher and that he has no previous legislative record.

The grape vine, however, tells us that he is old enough to have and does have a grandchild or two, so it is also probable that to some one he is known as Grandpa or Pappy.

The publishing business includes the editing and publishing of the East Brady Review.

It is also understood that he intended throwing a party on Thursday, but it is unlikely that Members would remain in Harrisburg for three days for that purpose, and it is just as improbable that the date of adjournment will be deferred.

Sam is careless and leaves all kinds of thing lying around everywhere, sometimes to his great embarrassment. Be careful Sam.

If he feels badly about the calling off of his party, it is suggested that we will meet him in that delectable place, Mrs. Bless' Cafeteria in the basement at any time he might suggest; therefore be it

Resolved, By the Members of this House that they extend their congratulations to the Honorable Samuel L. Pickens for having arrived at the grandfather stage of life, and wishes him many returns of that event as well as of his birthday, and that the Chief Clerk of the House shall transmit to him a copy of this resolution.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Pickens.

Mr. PICKENS. Mr. Speaker, ladies and gentlemen of the House and by-standers—I do not want you to hear this. I will meet you in the cafeteria on May 30. You are all invited to come to the review at any time—if you bring your own lunch.

The SPEAKER. The Chair also extends congratulations to the gentleman from Clarion.

ANNOUNCEMENT

The SPEAKER. The Chair would like to make this announcement; the Governor of the Commonwealth will come to the hall of the House between 12:45 and one o'clock. Employees who are fearful of getting back to their work on time may remain.

Mr. TURNER. Mr. Speaker, have we any business of the House to transact, or are we just awaiting the arrival of the Governor?

The SPEAKER. There is still some business to transact.

Mr. TURNER. While we are waiting, Mr. Speaker?

The SPEAKER. That is right.

Mr. TURNER. I was going to suggest, Mr. Speaker, since there are so many people present, who I presume have come to hear the message of the Governor, and since they are crowded in a small space, whether, if we have no business to transact, we might not set aside the rule of the House and permit the visitors to come upon the floor.

The SPEAKER. The Chair would inform the gentleman from Delaware that the Chair has that thought in mind to relieve the congestion, but we are unable to do so until the Senate arrives.

COMMITTEE APPOINTED TO INVITE SENATE

The SPEAKER. The Chair appoints as a Committee to invite the Senate to the Hall of the House to hear an address by the Governor of the Commonwealth, the Honorable Edward Martin, Messrs. Sorg and Lovett.

REPORT OF COMMITTEE

Mr. SORG. Mr. Speaker, your committee appointed to invite the Senate to the House to hear an address by his Excellency the Governor of the Commonwealth, the

Honorable Edward Martin, has performed that duty and reports the Senate is now present.

The SPEAKER. The Chair requests the Lieutenant Governor, the President Pro Tempore and the Secretary of the Senate to come to the rostrum. The Senators will be seated.

The SPEAKER. The Chair requests the Lieutenant Governor of the Commonwealth to present His Excellency the Governor.

LIEUTENANT-GOVERNOR BELL. Members of the General Assembly and guests, it is a pleasure to present to you today our distinguished Governor, Edward Martin.

ADDRESS OF GOVERNOR EDWARD MARTIN

GOVERNOR MARTIN. Governor Bell, Speaker Fiss, Members of the General Assembly and my fellow Americans, I have requested the privilege of addressing you this morning because I had hoped to announce to the General Assembly the most important event in the history of our country, after the fall of the British at Yorktown at the end of the Revolution.

I regret exceedingly that I am not able to make that announcement. However, I do want to tell you a little bit about what I desire to discuss this morning. We all are thankful to God that the war in Europe is almost ended, but with the end of the war in Europe we must realize that America still has to fight one of the most difficult wars in all history. Japan has an army in round numbers of almost six million men. That means that we must move across this continent and a great ocean an army with sufficient supplies and communications to defeat quickly our enemy with as small a loss as possible.

It took us two years to build up the forces which has been crowned with victory in Europe. We have an enormous job before us, of course, and this is what I would like you men and women to do, impress upon all of the people of the sixty-seven counties of this Commonwealth that it is our job to work hard to produce food, transportation and ammunition for our boys and girls who are on the front lines. We must not let up until the white flag flies over all of the strongholds of our enemies.

I want to thank this Session of the Legislature for the grand job you have done. You have enacted much extremely important legislation, and in addition you have appropriated for capitol improvements the largest amount of money ever appropriated by the Commonwealth of Pennsylvania.

It is the duty of the Executive to carry out the laws you have enacted, but owing to the importance and the greatness of this program I want you to give me in addition your help in order that we may make Pennsylvania the finest state in the Union in which to work and to live.

I want to also thank you for the great demonstration of the two party system in our American form of government which has been put into practice here, not simply a theory, but both parties have given careful and constant consideration to the work at hand, so I want personally to thank the presiding officers of the two houses and the leaders of the two parties in the two houses. You have done a magnificent work, and the people of the Commonwealth of Pennsylvania should thank you.

May you all arrive safely at your homes and may God in His infinite goodness give health and riches to you and your families.

The SPEAKER. The Chair thanks the Lieutenant-Governor, the President Pro Tempore of the Senate and the Members of the House for coming to the House this morning.

COMMITTEE TO WAIT UPON GOVERNOR

Mr. LICHTENWALTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 7, 1945.

Resolved, That a committee of three members of the House be appointed to wait upon His Excellency, the Governor of the Commonwealth, and inform him that the House of Representatives has completed the business of the session and is now ready to adjourn sine die, and inquire whether there are any further communications he may wish to make to the House of Representatives.

COMMITTEE APPOINTED TO WAIT UPON GOVERNOR

The SPEAKER. The Chair appoints as a Committee to wait on the Governor and inform him the House is ready to adjourn sine die Messrs. Lichtenwalter, Lloyd H. Wood and Andrews.

COMMITTEE TO WAIT UPON SENATE

Mr. SORG offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 7, 1945.

Resolved, That a committee of three members of the House of Representatives be appointed to wait upon the Senate, and inform that body that the House has completed the business of the session and is now ready to adjourn, sine die.

COMMITTEE APPOINTED TO WAIT UPON SENATE

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate and inform that body the House is ready to adjourn sine die, Messrs. Sorg, Sollenberger and Lovett.

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

Mr. LICHTENWALTER. Mr. Speaker, your committee appointed on the part of the House to inform His Excellency, the Governor of the Commonwealth, that the House is ready to adjourn sine die at 11:45 a. m. this day has performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

REPORT OF COMMITTEE TO WAIT UPON SENATE

Mr. SORG. Mr. Speaker your committee appointed to inform the Senate that the House is ready to adjourn sine die at 11:45 a. m. this day has performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

NOTIFICATION THAT SENATE IS READY TO ADJOURN SINE DIE

Mr. BLASS. Mr. Speaker, as chairman of the Committee appointed in accordance with a resolution adopted by the Senate I now inform the House that the Senate is ready to adjourn sine die at 11:45 a. m. this day.

The SPEAKER. The Chair thanks the Committee on the part of the Senate.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 560.

An Act to amend sections three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred six five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 62.

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-nine (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the general of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels for a limited time providing for the payment thereof into the Motor License Fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions and imposing duties on the Department of Highways

HOUSE BILL No. 289.

An Act to further amend section four of the act approved the first day of May one thousand nine hundred thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by adding clause (d) authorizing any school district to contract with public or private agencies for the use of its vocational school facilities in public schools

HOUSE BILL No. 528.

An Act to further amend subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnimuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Comonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the transportation of loads in excess of seating capacity of motor vehicles for the carriage of passengers for hire.

HOUSE BILL No. 548.

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it.

HOUSE BILL No. 568.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto.

HOUSE BILL No. 690.

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June

one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

HOUSE BILL No. 724.

An Act to amend section four of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the second class A and third class

HOUSE BILL No. 854.

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

HOUSE BILL No. 872.

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons cooperative agricultural associations having capital stock State and county officers boards and departments and providing penalties

HOUSE BILL No. 884.

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health and making an appropriation

HOUSE BILL No. 908.

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

HOUSE BILL No. 957.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

HOUSE BILL No. 1002.

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

HOUSE BILL No. 1098.

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

HOUSE BILL No. 1139.

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office and providing an appropriation.

HOUSE BILL No. 1189.

An Act to further amend the ...proved the twenty-fourth day of July one thousa... ...ine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures.

SENATE BILL No. 52.

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases.

SENATE BILL No. 344.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

SENATE BILL No. 435.

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied.

SENATE BILL No. 479.

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof.

SENATE BILL No. 509.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

SENATE BILL No. 548.

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties.

SENATE BILL No. 560

An Act to amend sections three two hundred five two hundred six five hundred one five hundred two five hundred five five hundred seven six hundred one six hundred two eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth

SENATE BILL No. 561.

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

SENATE BILL No. 614.

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

SENATE BILL No. 618.

An Act relating to and regulating the practice of the profession of engineering including civil engineering

mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws

SENATE BILL No. 623.

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties

SENATE BILL No. 658.

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

SENATE BILL No. 692.

An Act to amend sections two and four of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches including surveying providing for the registration of certain persons practicing or offering to practice said profession conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County and providing penalties" by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration

SENATE BILL No. 702.

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application on the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties

SENATE BILL No. 719.

An Act to reenact and further amend the title and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" providing for the transfer to the Commonwealth of all grounds lands buildings and personal property used for the care and maintenance of indigent persons in conjunction with institutions for the care of mental patients heretofore transferred to the Commonwealth and for payment therefor by the Commonwealth to the political subdivisions and further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

SENATE BILL No. 762.

An Act to further amend sections six hundred seventeen and six hundred twenty-one and to amend sections six hundred eighteen six hundred nineteen and six hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by making provision for the erection construction maintenance and operation of county joint county and county and municipal contagious disease hospitals and for the erection of buildings wings and units at general hospitals and for the payment of the same out of county funds including the cost of the care and treatment of indigent and part-pay patients

SENATE BILL No. 769.

An Act to amend sections three four and five and to repeal sections six seven eight nine and ten of a supplementary act approved the sixth day of May one thousand nine hundred forty-two (P. L. 101) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties defining the rights and obligations of certain members of the School Employes' Retirement Association engaged in active military service" by extending the time of employes to rejoin the School Employes' Retirement Association after completion of active military service and removing the requirement for a physical examination in certain cases

SENATE BILL No. 771.

An Act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons

SENATE BILL No. 776.

An Act to further amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" by authorizing the Secretary of Agriculture to issue rules governing the use of color in certain beverages

SENATE BILL No. 784.

An Act to further amend Section 320 of an Act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as last amended by Section 4 of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365).

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT SINE DIE

The SPEAKER. This being the day and the hour fixed by concurrent Resolution adopted by the Senate and the House of Representatives as the time when this General Assembly shall adjourn sine die I now declare this 136th regular session of the House of Representatives adjourned without day.

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